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(Seventeenth Session)

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LOK SABHA

Tuesday, August 24, 1976/Bhadra 2, 1898 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Stealing of Oil from Pipelines of O&NGC

*181. SHRI R. K. SINHA: Will the Minister of PETROLEUM be pleased to state:

(a) the number of persons arrested during the past one year for stealing oil from the pipelines of the Oil and Natural Gas Commission and the action taken against them;

(b) whether these persons used to sell the oil so stolen to some mills; and

(c) the action taken against the management of such mills?

THE MINISTER OF PETROLEUM (SHRI K. D. MALAVIYA): (a) to (c). Mehsana Project of the ONGC received a report of theft of crude oil from a pipeline joining a well in which six persons are reported to be involved including one motor truck driver of Mehsana Project of ONGC. All of them were arrested by the Police on or about 19th/20th April, 1976. Enquiry revealed that some barrels of oil were stolen and taken to a rice mill and the oil sold under printed cash memos issued by the brother of the driver of ONGC—who is under suspension. The case is under investigation by the Ahmedabad CID Crime Branch.

SHRI R. K. SINHA: Sir, it is said that the printed cash memo was issued by the brother of the driver. That means there were other cash memos also. There was a regular habit of selling oil through the cash memos to the mills and this pilferage was being done from the pipeline on a very big scale.

Also I would like to draw the attention of the Minister to the news printed in the *Navbharat Times* of the 23rd April which says that not only 300 litres were stolen but 3,800 litres were found in a room near the field where the original stock was discovered. Also it mentions that later on 3,600 litres of oil were pilfered and given to Patel Rice Mills and Sawan Rice Mills—not one but two—and in the answer there is mention of one only. I would like to seek the clarification from him.

SHRI K. D. MALAVIYA: Sir, the whole matter has gone to the police. The C.I.D. is making enquiries and they are reluctant to disclose the information at this intermediate stage. Obviously, we are very much concerned over this. My suspcision goes as the hon. Member's suspicion goes, that possible something more might be happening. Now that has been detected, let us wait and see for a little time what the report of the C.B.I. says.

SHRI R. K. SINHA: I only wanted to draw the attention of the Minister.

SHRI INDRAJIT GUPTA: Is it a fact that at certain places between Mirzapur and Allahabad on the Haldia-Barauni-Kanpur pipeline, there

have been a number of cases of pilferage from the pipeline? If so, why is the Minister not telling us about it? Five or six years ago, when large scale pilferage had been reported, the Industrial Security Committee had submitted a report to the Petroleum Ministry making certain specific recommendations as to how precautionary measures should be taken and proper vigilance exercised in respect of the pipelines. I would like to know, in this connection, what steps have been taken in pursuance of the recommendations of that Committee.

SHRI K. D. MALAVIYA: Firstly, this question related only to some theft which occurred in Mehsana....

SHRI INDRAJIT GUPTA: There is no mention of Mehsana in the question.

SHRI K. D. MALAVIYA: With regard to pilferages which are reported to be occurring in other sites in the eastern part, there are reports which we have received, and some precautions have also been taken.

MR. SPEAKER: It is a general question.

SHRI INDRAJIT GUPTA: The question is what is the number of persons arrested during the past one year for stealing oil from the pipelines of the ONGC....' It never says anything about Mehsana. About other places, there is no information available with the Minister.

SHRI K. D. MALAVIYA: We made enquiries and we got only two or three pieces of information. We are now going to make detailed enquiries as to what precautions have been taken and what is the result thereof. There is no doubt that pilferages have been taking place both on the east and on the west.

In the summer of 1975, a tanker belonging to one Shri B. C. Jain reported at unloading point; there was less quantity discovered. Five tankers belonging to one Shri B. L. Poddar containing a total of about 35 KL did not report at the unloading station. In this manner, several patterns of stealing have developed in the east and west. This is very unfortunate because there are people who do it. Government are taking necessary steps. I will make further enquiries and report to the House as to what has been done so far and what is going to be done.

SHRI INDRAJIT GUPTA: What about the Committee's recommendations?

SHRI K. D. MALAVIYA: I will look into it.

SHRI VASANT SATHE: This is a serious matter. While the Oil Minister is trying to find new oil deposits and additional oil for the country, we find this situation. On the one side, you take new oil and on the other you allow oil to be pilfered. How will it benefit the country?

SHRI M. C. DAGA: It will remain in the country.

SHRI VASANT SATHE: It may go underground again. Then you will again discover it! When this question has been asked, I believe if it is not embarrassing to you. You must be having the figures and you must disclose them. At least in one year what is the total shortage on account of pilferage....

SHRI INDRAJIT GUPTA: And the value of the loss.

SHRI VASANT SATHE:....and the value of the loss? If these two things are given, we will be enlightened to some extent.

SHRI K. D. MALAVIYA: I share the worry of the House on this account. It is a fact that pilferage is going on there and we have not been able to prevent it. There has been

some slackness also on the part of some officials who have been doing it. All I can say is that we shall be more careful, because this is a thing where pilferages do take place, stealing does take place. It is very difficult for me to come to the House and say that it will not be done.

SHRI VASANT SATHE: We are not asking that.

SHRI K. D. MALAVIYA: We shall do all that is possible.

MR. SPEAKER: He shares the anxiety of the House and promises to do all that is possible.

SHRI VASANT SATHE: I asked a specific question about figures.

MR. SPEAKER: Later on.

SHRI HARI KISHORE SINGH: Not only from the pipeline but also from the refinery itself, there is some sort of pilferage going on particularly in Barauni. In this connection, I would like to know whether cases are registered as ordinary police cases or they are dealt with under MISA. If not under MISA, why not?

SHRI K. D. MALAVIYA: Barauni is the refinery; I do admit in Barauni refinery it is there. We have been taking all possible steps. In tne Garara railway centre and the Barauni refinery, people, among either the workers or the leaders of the workers or the subordinate people, several cases have been found out. We are trying to find out; there was some scuffle between the railway police and our own people; all that has happened.

SHRI INDRAJIT GUPTA: Workers have done the pilferage? Your officers also can be in collusion.

SHRI K. D. MALAVIYA: I used the word 'officers' also....(Interruptions)

MR. SPEAKER: Next question.

Discovery of Oil in Offshore Bassein Structures

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*183. SHRI P. GANGADEB:
SHRI SHANKER RAO SAVANT:

Will the Minister of PETROLEUM be pleased to state:

(a) whether the Oil and Natural Gas Commission has struck oil in second of the three offshore Bassein structures in May-June, 1976;

(b) if so, whether the new find contains thickest horizon, of oil and gas ever discovered in India;

(c) whether output in this region is likely to be double of the Bombay High; and

(d) if so, the progress made so far on drilling oil in this region?

THE MINISTER OF PETROLEUM (SHRI K. D. MALAVIYA): (a) In a well drilled on the South Bassein structure, ONGC have found indications of gas in commercial quantities and some oil fluorescence in cores below the gas zone.

(b) It is expected that this may prove to be one of the thickest hydrocarbon reservoirs in India.

(c) It is difficult at this stage to make any prediction in this matter.

(d) In the two wells already drilled in the Bassein structure, oil has been struck. While no other well has been drilled on South Bassein structure, some more well are to be drilled on the crest of Bassein structure to determine the productivity of this field. One of these has been drilled and the drilling of the second well is in progress.

SHRI P. GANGADEB: It is excellent news to the country that this new find may prove to be the thickest hydrocarbon reservoir in India. Therefore, in view of the need to

make India self-sufficient in oil and the off-shore drilling taking place in this regard, may I know what is the total investment made in the off-shore drilling so far and the approximate percentage of its success taking all the drillings together? How does it compare with similar activities elsewhere outside India, like Iran?

SHRI K. D. MALAVIYA: Several questions have been put. Production of oil per well in India, offshore or onshore, is much less than the production of oil per well in Iran but the ratio of success of drilling in oil field is one of the largest in the world, in India. For instance, so far as offshore is concerned, only three wells have been dry; two wells were lost in the last cyclone but all the other wells which are 11 or 12 have proved either gas bearing or oil bearing. I have narrated the facts. When said that one of the thickets hydro carbon reservoirs had been discovered in Bassein, it is about 100 metres thick limestone which is likely to give us oil or gas or both therefore I have used the term hydro carbon. It is quite possible that limestone might be so tight that in certain portions we will be able to produce something. Therefore, the presumption is that it will give us very good quantities of oil and gas but the quantity today cannot be specified.

SHRI P. GANGADEB: The hon. Minister being an expert, I should like to know the cost of production in India vis-a-vis the other oil producing countries in the offshore drillings, just a general idea.

SHRI K. D. MALAVIYA: It is very premature for us to give any figure about the cost of production. All that I can say is that the figures of cost of production of offshore drilling in India are very favourable as compared to other places; all that depends upon how much oil per well we get. If we discover an oil field and the oil-field does not give as much oil as one well in Saudi Arabia gives, the whole thing changes.

SHRI SHANKERRAO SAVANT: I would like to know how far is this Bassein structure from Bombay and how far is that from Bombay High.

SHRI K. D. MALAVIYA: From Bombay, the Bassein structure is about 60 to 62 kilometres. From Bombay High, the Bassein structure is another 100 or 110 Km. In between we have also found some oil.

SHRI S. R. DAMANI: It is a matter of great satisfaction that all efforts are being made to find oil. I would like to know from the Hon. Minister only one thing that of the wells which have been dug so far, how many have been found commercially economical.

MR. SPEAKER: For that he has already given the answer.

Workers' Participation in Management

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*184. SHRI SUKHDEO PRASAD VERMA:

SHRI N. E. HORO:

Will the Minister of RAILWAYS be pleased to state:

(a) whether any progress has been achieved by the Railway administration in the matter of workers' participation in management;

(b) if so, what is the outcome of this experiment and at what level and in which Departments this scheme has been introduced; and

(c) what are the plans of the administration to enlarge the scope of this experiment in the light of the experience gained?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (c). A statement giving the information is laid on the Table of the Sabha.

Statement

(a) to (c). On the Railways there is already a considerable level of workers participation in the activities of Railways through different committees of staff and management.

In accordance with Government's decision to associate workers in manufacturing and mining industries at shop floor and plant level, instructions were issued to the General Managers of the three Production Units, viz. Chittaranjan Locomotive Works, Diesel Locomotive Works and Integral Coach Factory to set up an appropriate number of shop councils and a Joint Council for the Production Unit. Accordingly, by March 1976 shop councils and Joint Councils started functioning in the three Production Units. The working of the scheme has to be watched for some time before any further steps are taken.

श्री सुखदेव प्रसाद वर्मा : वक्तव्य में बताया गया है कि तीन कारखानों, चित्तरंजन इंजन कारखाना, डीजल कारखाना और डिब्बे बनाने के कारखाने में शाप काउंसिल्ज और संयुक्त काउंसिलें स्थापित की गई है और इन की स्थापना मार्च 1976 में हुई है। मैं जानना चाहता हूं कि तब के अब तक इनके काम में क्या प्रगति हुई है ?

अगर इस व्यवस्था से काम अच्छा हो रहा है, और उस में प्रगति हो रही हैं तो रेल विभाग के अन्य विभागों में, प्रशासन के कार्यों में भी आप इसी प्रकार की व्यवस्था करने जा रहे हैं, यदि हां, तो कब तक और यदि नहीं तो क्यों नहीं ?

श्री बूटा सिंह : विवरण में स्पष्ट कहा गया है कि जहां पर इन परिषदों की स्थापना की गई है उनका काम आशाजनक और उत्साहजनक तरीके से चल रहा है। इस महीने की चार तारीख को सभी रेलों के सी पी ओज की कान्फ्रेंस कलकत्ता में हुई थी और उन्होंने इस बात को ध्यान में लिया है और कहा है कि इसका विस्तार किया जाए, इसके बारे में स्कीम बनाई जा रही है।

श्री सुखदेव प्रसाद वर्मा : मैंने प्रश्न यह किया था कि कितने प्रतिशत प्रगति हुई है प्रशासन में तथा और भी कामों में ? आपने तीन चार कारखानों में इस स्कीम को लागू किया है। रेलवे में बहुत से विभाग हैं। डिविजनल लेवेल पर तथा अन्य जगहों पर भी क्या इसको आप लागू करना चाहते हैं और करना चाहते हैं तो कब तक ?

श्री बूटा सिंह : अभी प्रतिशत देना मुश्किल होगा क्योंकि साल के अन्त में हम आंकड़े जोड़ते हैं और प्रतिशत निकालते हैं। यदि आप आज्ञा दें तो मैं माननीय सदस्य को बताना चाहता हूं कि श्रम विभाग की तरफ से हमें आदेश मिला अक्तूबर 1975 में कि माइनिंग इंडस्ट्रीज और मैनुफैक्चरिंग यूनिट्स में इसे लागू किया जाए। इस आदेश का पालन करते हुए हम ने अभी सिर्फ प्रोडकशन युनिट्स में इसको लागू किया है। जैसा अभी मैंने कहा हमारे सी पी ओज की कान्फ्रेंस इस महीने की चार तारीख को कलकत्ता में हुई है। जो निर्णय उस में लिए गए हैं उसके आधार पर हम इसका और विस्तार करने की योजना बना रहे है।

श्री सुखदेव प्रसाद वर्मा : मेरा दूसरा सवाल है। इस कान्फ्रेंस में आपने क्या निणय लिया है और कब तक उस निर्णय को लागू करने का आपका विचार है-।

श्री बूटा सिंह : अध्यक्ष जी, उस में यही निणय लिया गया है कि इस का एक तो

यूनीफ़ौर्म पैटर्न बनाया जाय जितनी भी हमारी ज़ोनल रेलवेज हैं उन के लिये और जितनी वर्कशौप्स हैं उन के लिये। और उस के बारे में किस तरह से हो इस की रूप रेखा तैयार की जा रही है।

श्री राजेन्द्र प्रसाद यादव : अध्यक्ष जी, यह मानी हुई बात है कि रेलवे में यूनियन राइवलरी है जिस का दुष्परिणाम 1974 में देखने को मिला। जहां तक लेबर के रिप्रजेन्टेशन की बात है यह यूनियन के आधार पर देते हैं। मंत्री जी ने बारबार कहा है कि एक इंडस्ट्री में एक यूनियन को हम मान्यता देना चाहते हैं। तो क्या मंत्री जी यह देखेंगे कि इस तरह की व्यवस्था की जाय ताकि सारी लेबर अपने को रिप्रजेन्ट कर सके उस काम में और एक उद्योग में एक यूनियन का सिद्धान्त लागू हो ?

श्री बूटा सिंह : अध्यक्ष जी, यह एक विचित्र प्रश्न है जिस का सम्बन्ध यूनियन्स के साथ है। जब तक वही एक मन की नहीं होगी उस वक्त तक हमारे लिये अपनी ओर से निर्णय लेना शायद सम्भव न हो।

श्री रामावतार शास्त्री : अध्यक्ष जी, रेल के प्रबन्ध में मजदूरों को भी जिम्मेदार बनाया जाय इस नारे को दिये हुए एक साल से ज्यादा हो गया, और अभी तीन कारखानों में ही रेलवे मंत्रालय इस व्यवस्था को लागू कर सका है जिससे यह स्पष्ट है कि बहुत ही कच्छप गति से हम चल रहे हैं। तो इस बात को ध्यान में रखते हुए मैं जानना चाहता हूं कि आप ने प्रबन्ध में किन संगठनों के प्रतिनिधियों को शामिल किया है और जो संगठन रेल मजदूरों के मान्यता प्राप्त नहीं हैं उन से सहयोग लेने की आप की कौन सी नीति है, कौन सा कार्यक्रम बनाया है, और विभिन्न स्तरों पर आप इस कार्य को कब तक पूरा कर लेने का विचार रखते हैं ?

श्री बूटा सिंह : अध्यक्ष जी, माननीय सदस्य श्रमिक नेता हैं, यह सब कुछ जानते हुए भी ऐसा प्रश्न पूछ रहे हैं। एक तो सब से पहले इस बारे में एपेक्स बोडी है राष्ट्रीय स्तर पर उस में 3 प्रतिनिधि प्रत्येक मान्यता प्राप्त जो यूनियन्स हैं, उस से लिये जाते हैं। एक उस में सदस्य लिये जाते हैं रेलवे आफ़िसर्स फ़ेडरेशन से और एक रेलवे बोर्ड से। यह तो राष्ट्रीय स्तर पर है। इस के बाद एक पी० एन० एम० और एक जे० सी० एम० और उस के बाद ज़ोनल रेलवे और डिवीजनल रेलवेज में है, जैसे वेलफ़ेयर एक्टिविटी में उन को शामिल करने के लिये, बेनिफ़िट फंड कमेटी, कैन्टीन मैनेजमेंट ऐडवाइज़री कमेटी, स्टाफ़ वैलफ़ेयर ऐंड हाउसिंग कमेटी है, इन में उन को शामिल किया जाता है। इस तरह से भिन्न भिन्न स्तर पर ऐसी अच्छी कमेटियां चल रही हैं। यह जो हम ने आदेश दिये हैं 3 प्रोडक्शन यूनिट्स में, यह आदेश 20 सूत्री कार्यक्रम के अन्तर्गत जो हमें श्रम विभाग से आदेश प्राप्त हुए थे उन को लागू करने के लिये किया है।

Steps to improve the Quality of Food served in Trains

*185. SHRI K. LAKKAPPA: Will the Minister of RAILWAYS be pleased to state:

(a) what steps have been taken to improve the quality of food served in trains; and

(b) how far the recommendations of the Catering Committee have been implemented?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). A statement is laid on the Table of the Sabha.

Statement

(a) The following steps have been taken to improve the quality of food served in trains.

(i) A system of providing Ready-to-Serve meals on trains from

Base Kitchens set up at stations on important routes, has been introduced. Under this scheme food prepared under hygienic conditions in the base-kitchens, is picked up in insulated trollies and delieverd to Pantry cars where it is stored in hot cases and served hot to the passengers on run. Tea/ Coffee is served in thermos flasks to keep it hot.

(ii) Modern Culinary techniques and appliances, such as hot cases, insulated trollies, "Idli" grinding machines, etc. have been introduced in the catering units to improve service.

(iii) Departmental catering staff are trained by rotation in the Catering Institute at Bombay.

(iv) Good quality raw materials are procured and essential items like Atta, maida, wheat, rice etc. are procured through Government sources by the departmental units.

(v) Remodelling of pantry cars with gas ovens to avoid smoke nuisance and lining the interior with laminated sheets etc. have been undertaken to improve the cleanliness of the cars.

(vi) Low-priced meals packed in polythene wrappers of hygienic quality have also been introduced at a number of stations.

(vii) With a view to providing a good standard of catering by the private Contractors, experienced and suitable caterers are selected as Railways' Catering Contractors. Their performance is regularly inspected by officers and inspectors. Investigations are made into all complaints against the Contractors and remedial action taken to avoid recurrence.

(viii) Surprise checks are conducted in different catering/vending units run departmentally as well as by contractors.

(b) In part I of the Report, the Railway Catering & Passenger Amenities Committee 1967, had made 38 observations and recommendations on catering. All the recommendations except one (Item No. 24) were accepted and implemented by the Government. Item No. 24 concerned the scope of promotion of the catering staff. This was kept pending for the final recommendation of the Third Pay Commission. The Pay Commission suggested merger of some scales and improvement in the scales of pay of Stores Clerks, Senior Bearers etc. The Catering staff have adequate channel of promotion coming upto the scale Rs. 700—900 (R. S.) who is generally the highest Non-gazetted scale. Furthermore a number of higher grade posts have also been recently sanctioned in Catering Department.

SHRI K. LAKKAPPA: The Minister has stated that a statement is laid on the Table. But my question was about improving the quality of food served on the trains. Railways are the biggest public undertaking, more than a hundred years old. It has got its own reputation. Millions of people are travelling by the railways. The only committee appointed so far was in 1967 and it suggested certain ways and means to improve the catering system. Even these suggestions have not been fully implemented. Even if it has been implemented, it is only implemented on paper. Recently, Mr. Qureshi had stated that they are improving the catering system for millions of travelling public, but the quality has not yet been improved. The food is not good and even drinking water is not available on the stations. The ways and means suggested by the Committee have not been fully met. There are certain zonal catering committees which have made recommendations about cleanliness. What steps Government have taken to improve cleanliness? And what are the latest steps taken by the Government to improve the quality of food.

श्री बूटा सिंह : मेरे मुताबिक आप का प्रश्न यह है जोकि रिपोर्ट में सिफ़ारिशें की गई हैं वह पूरी लागू नहीं हुई। यदि माननीय सदस्य पूरा विवरण पढ़ें तो उस में लिखा गया है कि जो 38 सिफ़ारिशें की गई हैं उन में से सभी मान ली गई हैं केवल 24वीं सिफ़ारिश अभी विचाराधीन है ।

SHRI K. LAKKAPPA: Will the Minister appoint a watch-dog committee consisting of Members of Parliament at the national level to suggest ways and means to improve the catering system in order to make the railway travel more comfortable?

THE MINISTER OF RAILWAYS (SHRI KAMLAPATI TRIPATHI): His suggestion will be kept in view.

SHRI MADHURYYA HALDAR: What action the Minister is going to take against the Howrah Catering Management in order to improve the quality of food? From Delhi to Howrah, we cannot get even a good cup of tea. What steps are being taken to improve the quality of tea? If you travel by Kalka Mail, you will find that the contractor supplies the worst type of food? What steps Government are taking to improve the quality of food?

SHRI BUTA SINGH: If you carefully see the statement laid on the Table of the House, you will find that on Item No. 7 of the statement it is mentioned that with a view to providing a good standard of catering by the private contractors, experienced and suitable caterers are selected as Railways' catering contractors. Their performance is regularly inspected by officers and inspectors. Investigations are made into all complaints against the contractors and..

MR. SPEAKER: There is specific complaint about the quality of food. You can look into it.

SHRI BUTA SINGH: Since a specific complaint has been made, I will look into it.

श्री मुल्की राज सैनी : अध्यक्ष जी क्या मंत्री जी बतायेंगे कि सरकार को यह जानकारी है कि खाने के दो तरह के अरेन्जमेंट्स हैं एक सरकारी केटरिंग और दूसरा ठेकेदार की केटरिंग । जो ठेकेदारों को ठेका लेने में जो खर्च करना पड़ता है उस के बाद जो स्टाफ़ जो कनविन्स करने के लिये उन को निःशुल्क खिलाना पड़ता है और सरकारी अरेन्जमेंट में कुछ पहले ही गबन होता है उस की वजह से क्वालिटी खराब होती है। तो सरकार इस को रोकने के लिये क्या करना चाहती है ?

श्री बूटा सिंह : जैसा मैं ने कहा एक विशेष अभियान चलाया गया था जिस में 1723 जगहों पर छापे मारे और उस में विभागीय केटरिंग यूनिट और ठेकेदारों के भी लोग शामिल हैं । ऐसे 347 ठेकेदारों के खिलाफ़ मुकदमे चलाये गये, 212 पर जुर्माना कर दिया गया, 133 को निकाल दिया गया इस तरह से हमारा यह निरन्तर प्रयास रहता है कि जो खाना दिया जाता है, वह अच्छा भी हो और उस की जितनी मात्रा निर्धारित की गई है, वह उतना ही हो ।

DR. HENRY AUSTIN: My own experience is that the food sold on the railways is far from satisfactory. I am thankful to the hon. Minister for assuring us that this matter will be looked into, but I would like to raise related matter. The service of catering on the railways cannot be improved if the present structure is maintained. Most of those who are serving food are working under what is called the commission system. There is no security of tenure for these bearers, nor are they given a salary. From my constituency

there are a number of boys working on the Southern Railway and their complaint is that there is no security of tenure. How can such a service be satisfactory?

SHRI VASANT SATHE: They are the most filthily dressed people in the world.

DR. HENRY AUSTIN: They are not interested in serving well. They are sometimes even defiant of the travelling public. I travel by the Jayanti Janata often, and I know the situation.

SHRI BUTA SINGH: It is true that most of the bearers are employed on a commission basis. The Committee appointed in 1967 also has not made any specific recommendation in this regard. Uniforms are supplied by the railways. If there is any complaint, the hon. Members may let us know.

SHRI VASANT SATHE: I have raised it again and again.

MR. SPEAKER: Since a large number of hon. Members are rising in their seats and are having grievances, I would suggest that the hon. Minister may invite them and discuss this matter.

Rates for Casual Labourers

*187. SHRI R. P. YADAV: Will the Minister of RAILWAYS be pleased to state:

(a) the procedure followed for fixing the rates of wages of casual labourers in the Railways;

(b) whether the casual labourers are to be paid at the rate of 1/30th of the minimum of the scale if the casual rates are not fixed for any reason for a period of 1½ years; and

(c) if so, whether labourers in Delhi have been paid according to these rates?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह) : (क) से (ग). एक विवरण सभा पटल पर रख दिया गया है ।

विवरण

(क) न्यूनतम मजदूरी अधिनियम से शासित न होने वाले नैमित्तिक श्रमिकों को स्थानीय अथवा यथाआवश्यक सम्बंधित राज्य सरकार से पुष्टि करने के बाद दैनिक दर से मजदूरी दी जाती है और यदि ऐसी दरें उपलब्ध न हों तो रेलवे के नैमित्तिक श्रमिकों के न्यूनतम वेतनमान के 1/30 की दर से मजदूरी दी जाती है और इसके साथ ही वह मंहगाई भत्ता भी दिया जाता है जो तदनुरुप कोटियों के रेल कर्मचारियों को मिलता है और यदि इनमें से किसी भी ढंग से निर्धारित की गयी मजदूरी की दर सम्बंधित राज्य सरकार के द्वारा समतुल्य अनुसूचित नियोजन के लिए निर्धारित न्यूनतम मजदूरी से कम हो तो मजदूरी की दर राज्य सरकार द्वारा निर्धारित न्यूनतम मजदूरी की दर होगी ।

2. न्यूनतम मजदूरी अधिनियम द्वारा शासित नैमित्तिक मजदूर को स्थानीय प्राधिकारियों अथवा यथाआवश्यक राज्य सरकार से पुष्टी करने के बाद दैनिक दर से मजदूरी दी जाती है, यदि ऐसी दरें उपलब्ध न हों तो रेलवे कर्मचारियों की तदनुरुपी कोटियों के कर्मचारियों के न्यूनतम वेतनमान के 1/30 की दर से और इसके साथ ही वह मंहगाई भत्ता भी जो तदनुरुपी कोटियों के रेल कर्मचारियों को मिलता है और यदि इनमें से किसी भी ढंग से निर्धारित मजदूरी की दर न्यूनतम मजदूरी अधिनियम के अधीन निर्धारित दर से कम हो तो अधिनियम के अधीन उपयुक्त प्राधिकारी द्वारा निर्धारित दरें ।

(ख) और (ग). यदि स्थानीय दरें उपलब्ध न हों तो तदनुरुपी कोटियों के कर्मचारियों के न्यूनतम वेतनमान का 1/30

ग्रौर उन्हें स्वीकार्य मंहगाई भत्ते की दर पर भुगतान किया जायेगा ।

2. दिल्ली में काम करने वाले नैमित्तिक श्रमिकों को स्थानीय प्राधिकारियों द्वारा निर्धारित दरों पर दैनिक मजदूरी दी जा रही है ।

SHRI R. P. YADAV: How many types of casual labourers are there on the railways, and how can they be distinguished? Under what type do the labourers working under 10W come, and what should be their minimum wage in quantum? Is Government in the know of the fact that about 140 casual labourers are working under IOW, New Delhi, and have completed more than six months, and that some of them have worked for 236 to 2,636 days? Is it also a fact that in spite of this, they are not given the scale rate which is mandatory?

श्री बूटा सिंह : हमारे यहां दो प्रकार के कैजुग्रल लेबर्ज हैं । एक तो प्राजेक्ट्स पर काम करते हैं ग्रौर दूसरे उस किस्म के वर्कर हैं, जो इमारतों ग्रौर लाइनों वगैरह को मेनटेन करने के लिए रखे जाते हैं । उन के लिए वेतन इस तरह निर्धारित किया जाता है :

The Casual Labourers governed by the Minimum Wages Act are remunerated on:—

(a) daily rates ascertained from the local authority or the State Government concerned where necessary; or

(b) if such rates are not available, at 1/30th of the minimum of scale of pay plus Dearness Allowance applicable to corresponding categories of railway staff; and

(c) if either of the rate of wages arrived at in the manner indicated in (a) and (b) above happens to be lower than the minimum wages fixed under the Minimum Wages Act, then the rates fixed by the appropriate authority under the Act.

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): I would like to clarify one point.

There is no casual labour on the maintenance side.

SHRI R. P. YADAV: Towards the bottom of the statement, they have said, "Casual labourers working in Delhi are being paid daily wages at the rates prescribed by the local authorities." This is wrong. I challenge it. They have not been able to ascertain it from the local authorities, so far as Delhi Division is concerned. In the light of it, I would like to know from the hon. Minister whether it is not a fact that this payment of casual labour was referred to the Railway Labour Tribunal in 1969 and the Tribunal reported in 1972 and consequently the Railway Board issued instructions to the units to say that payment to non-project, non-scheduled labour will be made after ascertaining from the local or State authorities or in the alternative 1/30th of the minimum scale of pay plus dearness allowance upto the period of four months and after that they will be given the status of temporary employee? Is it also a fact that Northern Railway is not giving these employees their status and benefits of temporary employee? I can just quote an example of PWI, Delhi and you can also take the example of *paniwala*. For years together they are casual labourers? May I know from the hon. Minister whether anything has been done by the Railway or not? If so, what steps the Government is taking in this regard?

SHRI BUTA SINGH: Let me, first of all, make it clear that most of the information that I heard from

the hon. Member is not based on the facts. The facts are that daily wages paid in Delhi division are ascertained from the Delhi Administration in August, 1976, that is, the current month and are fixed at the latest rates given by the Delhi Administration to us. So, it will not be true to say that Northern Railway and the other railways in general are not following what the local authorities say. The rest suggested by the Delhi Administration is Rs. 5.85.

SHRI INDRAJIT GUPTA: This is not the first time that these complaints have been made by railway unions regarding the scandalously low rates of wages which have been paid to the casual labour. With reference to the statement which has been laid on the Table of the House, may I just draw his attention to one example and ask him to explain in terms of this statement? On the South Central Railway, wages of casual labour in Secunderabad and Vijawada is as low as Rs. 2.25 per day. The minimum wages for unskilled *mazdoors* notified by the local Collectors are as follows:—

	Rs.
Vishakhapatnam	5·50
West Godavari	5·00
Kurnool	4·00
Warangal	4·50
Hydrabad District .	5·00
& the twin cities of Hyderabad & Secunderabad . . .	5·00

These people are being paid Rs. 2.20 and yet they give the statement here saying that these wages are fixed according to the local rates. Will he kindly explain how long this state of affairs is going to continue?

SHRI BUTA SINGH: As I reiterated in my reply to the last supplementary, we always take whatever the local authorities or the State Government has to say. But, in this particular case, as the hon. Member has pointed out something, we will definitely get in touch with the authorities and see that there is no anomally.

SHRI INDRAJIT GUPTA: I can give so many anomalies, but there is no time to do it. This is only one case.

MR. SPEAKER: You can verify the discrepancy in the rates fixed by the Railway Board and the local authorities.

श्री नाथूराम अहिरवार : क्या यह सही है कि जो कैजुअल लेबर्ज तीन महीने काम करते हैं, उन को दो चार दिन के लिए अलग कर दिया जाता है, ताकि वे छ: महीने पूरे न कर पायें और उन को रेगुलर चांस न देना पड़े ?

दूसरे झांसी डिविजन में इस तरह का चल रहा है कि वहां चार-चार, छ:-छ: साल से कैजुअल लेबर काम कर रहे हैं लेकिन उनको परमानेंट नहीं किया जा रहा है। दूसरी जगह से कम सर्विस वाले कैजुअल लेबर लेकर परमानेंट कर दिया जाता है। जो छ:-छ: साल से काम कर रहे हैं उनको परमानेंट नहीं किया जाता है। क्या मंत्री महोदय जानकारी लेकर, जो लोग पहले से काम कर रहे हैं, उनको परमानेंट करवाने की कोशिश करेंगे ?

श्री बूटा सिंह : कैजुअल लेबर की भर्ती किसी प्रोजेक्ट के लिए होती है या सीजनल होती है। जैसे कोई फ्लड आया है या और कोई ऐसी बात हुई है उसके लिए कैजुअल लेबर को रखा जाता है। उनकी सर्विस मुश्किल से तीन चार महीने चलती है। हमारे ध्यान में ऐसी कोई बात नहीं आयी है। अगर माननीय सदस्य हमको लिखेंगे तो हम उसकी जांच करायेंगे।

अध्यक्ष महोदय : इनका दूसरा सवाल डीकेजुएलाइजेशन के बारे में है कि कैजुअल लेबर आठ-आठ, दस-दस साल से काम कर रहे हैं।

SHRI MOHD. SHAFI QURESHI: This matter was referred to a tribunal headed by Mianbhoy. The Mianbhoy Tribunal has given an award for decasualisation of casual labour. We have accepted most of the recommendations of the Mianbhoy Award. It is four months for persons who are working in other than projects and six months for those who are working in projects. That is being followed. But we have received complaints that in certain areas, the services of the labour are dispensed with just two or three days before the four months period is over. We are looking into it.

Relaxation of Curbs on Managerial Remuneration

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*188. SHRI D. K. PANDA:
SHRI S. A. MURUGANANTHAM:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government propose to relax the curbs on managerial remuneration;

(b) if so, the salient features thereof; and

(c) what factors have led Government to take such a decision?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA: (a) No, Sir.

(b) and (c). Does not arise.

SHRI D. K. PANDA: It is a welcome reply. If the reply is in the negative, the House must be happy. But still, to be on the safe side, for the purpose of clarification, I would like to ask the hon. Minister whether the reported news-item in the *Hindustan Times* according to which Mr. Bedabrata Barua addressed a meeting of the All-India Manufacturers' organisation at Bombay is correct or not. It is reported:

"The Union Government is considering some relaxations to its guidelines that industrial units not making profits will not be allowed to pay more than Rs. 60,000 per year as remuneration to its professional managers.

The Minister admitted that the guideline was posing problems. The Government was coming up with suitable amendments. Mr. Barua, however, did not elaborate what amendments were being made.

Speaking at a meeting organised by the All-India Manufacturers' organisation, Mr. Barua, stated that the Government had taken some steps to regulate the managerial remuneration in the corporate sector. A ceiling of Rs. 1.30 lakhs per year was imposed. In approving the service conditions of top managers in private sector industry, he said, the Government was guided mainly whether the compensation paid was proper or not for the services rendered."

This is the news-item that has been reported. I want to know whether any such statement has been made and whether those facts have been admitted as has been reported in the newspaper.

SHRI BEDABRATA BARUA: This was a meeting of the All-India Manufacturers' organisation which I addressed. I do not think the whole report is correct. But most of it is in connection with the remuneration of the executives. The question asked to me was, whether the Government wanted to put curbs on the remuneration of the executives who were not

directors. Obviously, the Company law does not enable the Government to put any curb on the remuneration of the people who are not in the board. That is the provision of the Companies Act.

Regarding the figure of Rs. 60,000 this is the minimum remuneration. This was introduced in the Act of 1956 that when a company does not make profit, the remuneration of the managing directors is brought down. This figure of Rs. 60,000 is in the context of Rs. 1.30 lakhs which was the ceiling for managing directors that we imposed in 1969. A question was raised that when a professional man gets promoted to the board of directors as many companies do these days, why should his salary be reduced? It is only in that context that I stated, when a professional man gets promoted to the board of directors, not a big shareholder or a big businessman or a family member, obviously, he should not be guided by the guideline to reduce his remuneration. As I have said, this is also being considered by a Committee which has been constituted to go into these matters, and this matter also will be examined in that context.

SHRI D. K. PANDA: In view of the reported news that Mr. Raghuraj, Chairman of the Industrial Development Bank of India has made certain suggestions for amendment of the Company Law as far as these professional Managers are concerned and in view of the fact that there is already a Committee to examine certain points, I would like to know whether those points include the removal of Directors and professional Managers because, at present, only their induction is Government's job and they are doing it and are controlling that aspect but as far as their removal is concerned.

MR. SPEAKER: You should not go into the question of removal; this pertains to remuneration only.

SHRI D. K. PANDA: This pertains to remuneration, but since it is said that there is a Committee which will take into consideration so many other things. I am putting the question whether, so far as professional Managers and Directors are concerned, any provision is going to be made not only for increasing their remuneration but for removing them also.

MR. SPEAKER: Removal is a separate question.

SHRI D. K. PANDA: But the spirit underlying the putting of curbs on Income is to reduce disparities.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): With regard to what the Hon. Member has referred to as a Committee, it is not a Committee as such, but when questions were raised that the present curbs on managerial remuneration were not enough and that the matter should be further examined, I asked my colleague to go into the whole question, with the assistance of the officers concerned in my Ministry and in other Ministries, and examine whether further curbs are necessary. The question will be gone into and, at this stage, the only answer I can give is that there is no intention to relax the curbs, in any case.

The second aspect is that this Study Group (if I may so call it) is not concerned with the question of amendment of the Company Law. With regard to the amendment of the Company Law, we keep on getting certain suggestions from various quarters and they are being examined separately in my Ministry. It may be that in certain matters, the amendment of the Company Law might become necessary.

With regard to the point my colleage had mentioned, that while under the Act we have power to impose curbs on Directors and such other people we have no power to impose curbs on executives who are not Directors, this is an area which also needs examination and we are going into the question.

SHRI CHINTAMANI PANIGRAHI: We are happy that the Hon. Minister has said categorically that they are not going to relax whatever little curbs there are at present on the remuneration of the Directors of the company. But I would like to know from the Hon. Minister, since the remuneration ranges between Rs. 5,000/- and 11,000/-, the minimum being Rs. 5,000 and the maximum being Rs. 11,000 per month, how many companies are actually paying the minimum of Rs. 5,000 and how many are paying the maximum of Rs. 11,000. Has any census been taken in this regard?

MR. SPEAKER: Have you got that information?

SHRI H. R. GOKHALE: I cannot give the exact number.

भारतीय विधि संस्थान

*189. श्री मूल चन्द डागा : क्या विधि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) भारतीय विधि संस्थान किस तारीख को स्थापित हुआ, उसके कार्य क्या हैं और गत तीन वर्षों में उस पर कुल कितना व्यय किया गया ;

(ख) क्या इस संस्थान के कार्यकरण के पुनरीक्षण के लिये कोई पुनरीक्षण समिति बनाई गई थी ; और

(ग) क्या उन्होंने कोई प्रतिवेदन प्रस्तुत किया और यदि हां, तो उनकी मुख्य सिफारिशें क्या हैं और उनको किस रूप में कार्यान्वित किया गया ?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) The Indian Law Institute, New Delhi, is a private body and registered under the Societies Registration Act (Act of XXI 1868) was set up on 27th December, 1956, to cultivate the science of law, to promote advanced studies and research in law, to promote reform in the administration of justice and law so as to suit the social, economic and other needs of the Indian people, to promote systematization of law, to encourage and conduct investigations in legal and allied fields, to improve legal education, to impart instructions in law, and to publish studies, books periodicals, etc.

During the years 1973-74, 1974-75 and 1975-76 the Government of India has given a total Grant-in-aid of Rs. 17,00,000/.

(b) Yes, Sir.

(c) The Review Committee has submitted its Report to the Government which is under consideration.

A statement showing main recommendations of the Review Committee is attached.

Statement

The main recommendations of the Review Committee on the Indian Law Institute are:—

1. The Indian Law Institute should devise its programme of research and determine priorities.

2 A Research Committee of about ten Members, consisting of some jurists, some Supreme Court/High Court Judges, Dean of Faculty of Law (Delhi University) and if possible some Professors from nearby Universities, should be set up.

The minimum qualification for all the research posts should be at least Ph.D. in Law.

4. An Editorial Committee, consisting of (i) a Judge of the Supreme Court or a High Court,

(ii) a member of the Bar, (iii) a member of Law Faculty, Delhi University and (iv) the Director of the Institute, should be set up to lay down guidelines and evolve a policy in the matter of acceptance of articles for the quarterly Journal.

5. There should be a separate Editorial Committee for the Annual Survey.

6. The Index to Indian Legal Periodicals should be continued to be published.

7. The Diploma Courses, conducted by the Institute, should be continued.

8 There should be a Seminar Committee headed by a Judge of the Supreme Court or a High Court, consisting of the Director of the Institute and Dean, Faculty of Law, Delhi University, to determine the subject and planning and the invitees to the Seminars.

9. Lectures by eminent jurists etc., both from India and abroad, should continue to be arranged.

10. The Institute should make suitable structural changes in the Governing Council and the Executive Committee so as to be effective in the management of the affairs of the Institute.

11. All issues concerning finances should be referable for advice to a Finence Sub-Committee assisted by an expert appointed by the Executive Committee on nomination by Ministry of Finnnce, before the Executive Committee takes a decision.

12. Self contained, Rules, Regulations, general conditions of service and the pay scales of the Research and other staff, should be framed, and applied to all employees.

13. The annual grant-in-aid from the Government should be within the ceiling of Rs. 6,00,000 (Rupees six lakhs) to be utilised in accordance with the conditions of the grant and other conditions required under the General Financial Rules or other Rules or orders of the Government.

श्री मूल चन्द डागा : अध्यक्ष महोदय, ये संस्थाएं बहुत बड़ी बड़ी बन जाती हैं, इनके नाम बहुत बड़े बड़े होते हैं, इन के उद्देश्य और आबजेक्ट्स भी बहुत बड़े बड़े होते हैं और बड़ी बड़ी रकमें भी इन को मिल जाती हैं। 1957 से यह इंस्टीच्यूट काम कर रहा है। मैं जानना चाहता हूं कि इस के कौन कौन आफिस बेयरर्स हैं, आज 20 साल में इन की क्या क्या उपलब्धियां है और जब इस प्रकार की उपलब्धियां थीं तो फिर रिव्यू कमेटी बठाने की क्या जरुरत थी ?

श्री एच० आर० गोखले : 1957 से कौन आफिस बेयरर्स थे उन के सब के नाम तो इस समय बताना मुश्किल है ...

अध्यक्ष म ोदय : वह पब्लिश होता है या नहीं ?

श्री एच० आर० गोखले : वह पब्लिश होता है ।

अध्यक्ष महोदय : तो ठीक है, माननीय सदस्य दूसरा प्रश्न करें। यह लाइब्रेरी में होगा ।

श्री मूलचन्द डागा । ये आफीस बेयरर्स कान्टीन्युअसली एक ही रहते हैं ...

अध्यक्ष महोदय : नहीं, अब आप दूसरा सवाल करें । इस को छोड़ दें ।

श्री मूलचन्द डागा : इस के फंक्शंस और अचीवमैंटस क्या हैं ?

I want to know what are its achievements.

SHRI H. R. GOKHALE: The Committee is headed by the Chief Justice of India, ex-officio, and with it are associated other people like the Attorney-General and the Law Minister, both of them ex-officio; there are other senior people also. The necessity for the appointment of the Committee was not felt in any particular year. It has been a general practice. Since Government gives grants of a substantial nature, a review should be made periodically of the working of the Institute, and that is how a Committee comes to be appointed periodically. Therefore, there was no particular reason in that particular year for doing so. That Committee has given certain suggestions which are now given to the Members —the main recommendations. With regard to achievements, all that I can say is that, from time to time, they have been publishing reviews, articles and some full-fledged publications relating to questions of law and other allied matters. Their journal is coming out regularly. Not only that, at the end of the year, they also bring out a comprehensive review of the development of law in the country during the year covered by that review. They hold seminars and discussions where very important people are invited to address the Members of the Institute and outsiders. Generally, I can say, they have been doing useful work so far as development of law is concerned.

SHRI M. C. DAGA: The Review Committee has made this recommendation in S. No. 10:

> "The Institute should make suitable structural changes in the Governing Council and the Executive Committee so as to be effective in the management of the affairs of the Institute."

I would like to know whether it has been implemented or it is going to be implemented and if so, by what time.

SHRI H. R. GOKHALE: It has not been implemented. As I said earlier, it is not a government body, it is a body registered under the Societies Registration Act. But Government comes into the picture because Government pays something substantial to the Institute. All these are discussed at various levels with the Institute and suggestions are made to the Institute to take into account the recommendations of the Review Committee. As yet, no final decision on any of these recommendations has been taken. But I am quite sure that the office-bearers of the Institute and the Government, together, will find a way of implementing as many of the recommendations as are possible of implementation.

SHRI DINESH CHANDRA GOSWAMI: Recommendations No. 11 and 13 of the Committee deal with finance. Recommendation No. 13 reads as follows:—

> "The annual grant-in-aid from the Government should be within the ceiling of Rs. 6,00,000.00 (Rupees six lakhs) to be utilised in accordance with the conditions of the grant and other conditions required under the General Financial Rules or other Rules or orders of the Government."

May I know from the hon. Minister whether this recommendation has been made in view of the fact that, uptil now, the Institute has not spent the money in accordance with the conditions of the grant and other conditions as required under the rules, and if so, what steps Government is taking now to expedite fulfilment of recommendations Nos. 11 and 13. Both of them relate to finance and Government is giving a substantial amount to this Institute.

SHRI H. R. GOKHALE: I do not think, the intention of these recommendations, particularly recommendation No. 13, is that the Institute had not been functioning in accordance with the requirement of their

objectives and as such this recommendation was made. But the recommendation is understandable because it says that when you give grant-in-aid to the Institute—and the grant-in-aid should not be more than six lakhs—there should be some kind of an inbuilt method of controlling the actual working of the Institute to see that the money given by the Government is properly spent. It is a good suggestion and it would receive the attention of the Government.

SHRI D. K. PANDA: In view of the present needs of the country, I would like to know whether the Law Institute has been depending upon the study of books of the colonial past alone, or any socialistic law has been studied and provisions made accordingly. This is included in their functions also.

SHRI H. R. GOKHALE: The hon. Member has referred to the colonial past. All that I can say is that they take into account the socio-economic necessities of the time and by the very objectives of the Institute they are required to depart from the colonial heritage and make recommendations accordingly.

योजना आयोग द्वारा नई रेल लाइनों के लिये धनराशि का नियतन

*190. श्री रामावतार शास्त्री : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मंत्रालय ने हाल में योजना आयोग से देश में नई रेल लाइनों के निर्माण के लिए धनराशि नियत करने की मांग की है;

(ख) यदि हां, तो इसकी मुख्य बातें क्या हैं ; और

(ग) इस बारे में योजना आयोग की प्रतिक्रिया क्या है ?

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रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह) : (क) से (ग). एक विवरण सदन पटल पर रख दिया गया है ।

विवरण

पांचवीं पंचवर्षीय योजना में नयी रेलवे लाइनों के निर्माण के लिए योजना आयोग द्वारा पहले ही एक सौ करोड़ रुपयों की धनों राशि का आवंटन कर दिया गया है । यह राशि अनुमोदित किये गये निर्माण कार्यों को पूरा करने और आर्थिक रूप से महत्व रखने वाले निर्माण कार्यों के लिए ही अपर्याप्त है । नयी लाइनों के निर्माण जिनमें पिछड़े क्षेत्रों के लिए भी लाइनें शामिल हैं, के लिए पांचवीं योजना में अतिरिक्त धन आवंटन हेतु योजना आयोग से आग्रह किया गया था । अभी हाल में योजना आयोग से बातचीत के द्वारा इस आग्रह की पुनरावृत्ति की गयी थी । लेकिन अन्य क्षेत्रों से आयी हुई मांगों की अग्रता और संसाधनों की कठिनाई के कारण योजना आयोग अतिरिक्त धनराशि आबंटित करने में असमर्थ रहा है ।

श्री रामावतार शास्त्री : पांचवीं पंचवर्षीय योजना काल में नई रेलवे लाइनों के निर्माण के लिए योजना आयोग ने एक अरब रुपये की व्यवस्था की है, इस बात की चर्चा वक्तव्य में है । इस एक अरब रुपये में जिन लाइनों के निर्माण का कार्यक्रम आपने बनाया है उसका कोई ब्यौरा हो तो सदन को बताने की कृपा करें ।

श्री बूटा सिंह : अध्यक्ष महोदय, आप की आज्ञा से मैं लिस्ट पढ़ देता हूं ......

अध्यक्ष महोदय : कितनी बड़ी लिस्ट है ?

श्री बूटा सिंह : काफी लम्बी है ।

अध्यक्ष महोदय : तो आप उसे सभा पटल पर रख दीजिए ।

श्री [illegible] शास्त्री : योजना आयोग से आप ने नई लाइनों के निर्माण और रेलवे के दूसरे विकास कार्यों के लिए कितनी धन-राशि की मांग की थी और योजना आयोग के आप ने बारे में बताया है कि कुछ कठिनाइयां हैं तो क्या आप आशा रखते हैं कि जितनी धनराशि की आप ने मांग की है उस में से कुछ भी राशि मिलने की संभावना है ? उस के लिए आप ने कौन सी योजना बनाई है ? किस आधार पर आपने उक्त राशि की मांग योजना आयोग से की है ?

रेल मंत्री (श्री कमलापति त्रिपाठी) : अध्यक्ष महोदय, योजना आयोग से बराबर हम और धन की मांग करते रहे हैं । जो एलाटमेंट हमारे लिए हुआ है वह उस काम के लिए भी काफी नहीं है जो हम ने अपने हाथ में ले रखा है और जिस पर कार्यवाही चल रही है । यह प्रश्न योजना आयोग के सामने कई बार रखा गया और उन का यह कहना है कि आर्थिक स्थिति जैसे ही ठीक सुधरेगी वैसे ही विशेष रूप से सहायता करने की चेष्टा की जायगी । इस वक्त तो जो प्रायरिटीज उन्होंने बांध रखी है उन की तरफ उनका ध्यान है । हम बराबर उनसे मांग करते रहते हैं । हमें आशा है कि ज्यों ही उन के लिए संभव होगा वे कुछ न कुछ धन की व्यवस्था हमारे लिए करेंगे, इस में सन्देह नहीं है ।

Nagpur-Bombay Railway Line via Amraoti

*192. SHRI VASANT SATHE: Will the Minister of RAILWAYS be pleased to state:

(a) whether various organisations in Vidarbha region of Maharashtra have been persistently making a demand for deviation of Nagpur-Bombay Railway line *via* Amraoti;

(b) if so, whether the proposal was considered by the Railway authorities and the decision taken in the matter; and

(c) if no decision is taken in this 3
regard, how soon Government would take a final decision?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes, Sir.

(b) The proposal for bringing Amraoti on Bhusaval-Nagpur main line was considered in 1958 but was dropped due to lack of adequate traffic justification.

(c) In view of non-availability of adequate funds for completing the works already in progress and those approved to be taken up shortly, it may not be possible to consider the proposed rail link at present.

SHRI VASANT SATHE: I would like to know in view of the fact that Amraoti is not only historically important but even mythologically important—Panditji knows....

श्री शंकर दयाल सिंह : आप पंडित जी से हिन्दी में सवाल पूछिये ।

श्री वसन्त साठे : अमरावती पौराणिक तथा ऐतिहासिक दृष्टि से बहुत महत्वपूर्ण स्थान है, केवल दस किलोमीटर का फासला है बडनेरा से अमरावती का और यदि आप अमरावती से तीन किलोमीटर के फासले पर डाईवर्जन कर दें तो विदर्भ का यह महत्वपूर्ण शहर रेल लाइन पर आ जायेगा । यह रुकमणी का शहर है, आपके लिए भी इससे आसानी हो जायेगी और कृष्ण भगवान को जो कठिनाई थी वह भी नहीं रहेगी । पैसा भी आपको मिल जायेगा और एकोनामिकली भी यह ठीक रहेगा । पंडित जी से मैं इसका उत्तर चाहूंगा ।

रेल मंत्री (श्री कमलापति त्रिपाठी) : आपका सुझाव बड़ा अच्छा है और रुकमणी के नाम से उसका सम्बन्ध है । कृपा करके किसी समय आप मेरे दफ्तर में पधारें, हम विषय में आपसे विस्तार में बात कर लें और अगर संभव हो तो कुछ किया जाये ।

WRITTEN ANSWERS TO QUESTIONS

Self-sufficiency in Production of Fertilizers

*182. SHRI D. B. CHANDRA GOWDA: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have made any comprehensive plan for achieving self-sufficiency in fertilizer production during the Fifth Five Year Plan period; and

(b) if so, the broad features thereof?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). A large scale programme is on hand for augmenting indigenous capacity for the manufacture of fertilizers. As a part of this programme, 16 large sized fertilizer plants are under various stages of implementation; 4 additional plants have been approved in principle. With the completion of the projects under implementation and those approved in principle, the capacity for the manufacture of fertilizers which is presently 29.73 lakh tonnes of nitrogen and 6.92 lakh tonnes of P205 is expected to increase to 65 lakh tonnes of nitrogen and 17 lakh tonnes of P205. Since the completion and commissioning of some of the projects is likely to spill over to the VIth Plan Period, the capacity build-up by the end of the Fifth Five Year Plan period is likely to be 46.90 lakh tonnes of nitrogen and 13.11 lakh tonnes of P205. The production available from this capacity would help narrow the gap appreciably between demand and indigenous availability of fertilizers and thereby reduce dependence on imports.

राजधानी एक्सप्रेस ट्रेन की सेवा को ग्रौर विस्तृत करने का प्रस्ताव

*186. श्री चिरंजीव झा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राजधानी एक्सप्रेस ट्रेन की सेवा को ग्रौर विस्तृत करने पर विचार किया जा रहा है ; ग्रौर

(ख) यदि हां, तो तत्सम्बन्धी मुख्य बातें क्या हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री मुहम्मद शफी कुरेशी) : (क) जी नहीं ।

(ख) प्रश्न नहीं उठता ।

Survey for Ernakulam-Alleppy Railway Line in Kerala

*191. SHRI C. H. MOHAMED KOYA: Will the Minister of RAILWAYS be pleased to state:

(a) whether an engineering-*cum*-traffic survey has been ordered for the construction of the Ernakulam-Alleppy railway line in Kerala;

(b) the progress made so far; and

(c) the likely dates of completion of the engineering survey and commencement of the construction work?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes, Sir.

(b) and (c). The survey has been completed. The survey report is under examination, and a decision regarding construction of the line will be taken as soon as the examination, is completed, and would depend upon availability of resources.

Employees Cooperative Banks on Western and Central Railways

*193. SHRI RAJA KULKARNI: Will the Mmister of RAILWAYS be pleased to state:

(a) whether there are co-operative banks of the employees in Western and Central Railways and if so, since how many years;

(b) what is the number of employees employed by each of these banks and how many branches they have; and

(c) have they introduced joint councils as part of the labour participation in management programme of the Railways?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) to (c), A statement is laid on the table of the Sabha.

Statement

Name of Railway	Name of Co-operative Bank.	Existing from	No. of Branches	No. of employees
(1)	(2)	(3)	(4)	(5)
(a) and (b). 1. *Western Railway*	1. Jackson Co-operative Credit Society Ltd., Grant Road, Bombay.	1912 (64 years)	5	250
	2. Baroda City Karigar Sahayak Sahakari Mandli Ltd., Pratapnagar, Baroda.	1931 (45 years)	Nil	23
	3. Railway Employees' Co-operative Credit Society Ltd., Jaipur.	1945 (31 years)	Nil	18
	4. Western Railway Employees' Co-operative Credit Society Ltd., Udaipur.	1946 (30 years)	Nil	5 (4 + 1 Part Time Peon)
2. *Central Railway*.	1. Central Railway Employees' Co-operative Credit Society Ltd., Byculla, Bombay.	1913 (63 years)	Nil	271

(c) No, Sir.

Visit to Calcutta of Soviet Experts on Underground Railway

*194. DR. RANEN SEN:

SHRI H. N. MUKERJEE:

Will the Minister of RAILWAYS be pleased to state:

(a) whether Soviet experts on Underground Railways had visited Calcutta recently; and

(b) if so, the salient features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):

(a) Yes, Sir.

(b) A team of three Soviet Specialists arrived in India on 19-7-76 for a period of 3 months. The specialists are giving advice to the MTP(R) Calcutta in the fields of design of tunnel structures, tunnel construction, and tunnel shields and other equipment.

Survey for Oil Exploration along West Coast

*195. SHRI N. SREEKANTAN NAIR: Will the Minister of PETROLEUM be pleased to state:

(a) whether a survey was conducted for oil exploration along the West Coast from Kanyakumari to Ratnagiri during November-December, 1975; and

(b) if so, the results of the survey?

THE MINISTER OF PETROLEUM (SHRI K. D. MALAVIYA): (a) and (b). It had earlier been planned to conduct seismic survey operations in the offshore area from Ratnagiri to Kanyakumari in November-December 1975. However, the programme had to be modified for covering the Deeper Continental Shelf area and the Bassein area where hydrocarbons were discovered after such detailed/semi-detailed seismic surveys. The present programme is to conduct seismic survey in the area from Ratnagiri to Kanyakumari from February 1977.

Capacity of Koyali Refinery

*196. SHRI DHAMANKAR: Will the Minister of PETROLEUM be pleased to state:

(a) what is the present capacity of the Koyali Refinery and what would be its capacity on the completion of its present expansion programme;

(b) when is the expansion programme likely to be completed; and

(c) what is the percentage of foreign equipment being used in the Refinery and how long will it take to replace it by entirely indigenous one?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) The present operating capacity of Koyali Refinery is 4.30 million tonnes and the capacity after expansion will be 7.30 million tonnes per annum.

(b) The expansion project is scheduled to be mechanically completed by the end of 1977.

(c) A substantial portion of the plant and machinery in the Koyali refinery operating with 4.3 MTPA capacity is imported. For the expansion project only raw materials and a few of the critical items which are not indigenously available are being imported and this will be about 24 per cent of the total requirement for machinery, equipments and allied items. In future projects this percentage will be progressively reduced with the development of indigenous capacity for production of raw materials and manufacture of these items of equipment in the country.

National Drug Authority

*197. SHRI C. K. CHANDRAPPAN: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Hathi Committee had suggested a National Drug Authority to expedite licensing of new capacity; and

(b) if so, what step has been taken to increase domestic production of bulk drugs?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a): Yes, Sir. The recommendations of the Hathi Committee in this respect are under consideration of the Government.

(b): The Government have taken various steps to increase production of bulk drugs by granting industrial licences/approvals for expansion of existing capacities and for establishing new

capacities. Since 1st April, 1975, as many as 121 industrial licences/letters of intent have been issued. Further, allocation of funds to the extent of Rs. 5684 lakhs for Indian Drugs and pharmaceuticals and Rs. 948.6 lakhs for Hindustan Antibiotics Limited have been provided for in the Fifth Plan period for augmenting production of drugs.

Utilisation of Capacities of Barauni and Madras Refineries

*198. SHRI CHANDRA SHEKHAR SINGH:
SHRIMATI PRAVATHI KRISHNAN:

Will the Minister of PETROLEUM be pleased to state:

(a) what are the installed capacities of the Barauni and Madras refineries; and

(b) how far the installed capacities of these two refineries are fully utilized?

THE DEPUTY MIINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) The installed capacities of Barauni and Madras Refineries are as follows:

Barauni . .	3 million tonnes per annum.
Madras . .	2.5 million tonnes per annum.

(b) The crude throughput of the Barauni Refinery is currently being regulated as per supplies of indigenous crude. The present level of throughput is 2.9 MTPA. and it is expected to increase to 3 MTPA from next year, when the capacity of crude oil pipelines feeding this refinery is increased.

The installed capacity of the Madras Refinery is being fully utilised and the percentage utilisation in 1975-76 was 106.

Panel to study Snags in Legal System

*199. SHRI S. M. BANERJEE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be please to state:

(a) whether Government have set up a panel to study snags in legal system; and

(b) if so, the terms of reference thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) No, Sir.

(b) Does not arise.

Hourly Rates of Incentive Bonus in Integral Coach Factory, Madras

*200. SHRIMATI ROZA DESHPANDE: Will the Minister of RAILWAYS be pleased to state:

(a) whether the hourly rates of incentive bonus for workers in the Railway Workshops have been revised after the introduction of revised scales of pay with effect from 1st January, 1973;

(b) if not, what are the reasons for the delay;

(c) whether instructions have been issued to recover the amounts paid at the enhanced rates to the workers of Integral Coach Factory, Madras since April, 1974; and

(d) if so, reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) The hourly rates of incentive bonus have been revised with effect from 1st August, 1975.

(b) Does not arise in view of reply to (a) above.

(c) and (d): Prior to 1st August 1975, eligible staff were allowed to draw incentive bonus at the existing

hourly rates based on their Authorised Pay Scales. In the Integral Coach Factory, for the period from April, 1974 to August, 1974, some staff were arroneously paid incentive bonus at a higher rate. The consequential overpayments have been recovered.

Per metre cost of drilling at various Structures

1295. SHRI CHAPALTNDU BHATTACHARAYYIA: Will the Minister of PETROLEUM be pleased to state:

(a) the cost of drilling per metre offshore at Bombay High, Bassein structure, the Bay of Bengal and onshore drilling cost in Tripura, Assam, West Bengal and Gujarat;

(b) whether the cost of drilling in India is much higher than in other oil producing countries; and

(c) if so, what steps are proposed to bring it down?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) to (c). The information is being collected and will be laid on the Table of the Sabha.

उत्तर प्रदेश स्थित पीलीभीत में तेल के लिए छिद्रक कार्य

1296. श्री मोहन स्वरूप : क्या पेट्रोलियम मंत्री यह बताने की कृपा करेंगे कि :

(क) उत्तर प्रदेश स्थित पीलीभीत में तेल के लिये छिद्रक-कार्य कब तक पूरा हो जाने की आशा है ;

(ख) इस कार्य पर अनुमानतः कितना खर्च आयेगा ; और

(ग) इसके लिये कितने कर्मचारी काम पर लगाये होंगे और इस सम्बन्ध में पूर्ण तथ्य क्या है ?

पेट्रोलियम मंत्रालय में उपमंत्री (श्री जियाउर्रहमान अंसारी): (क) ओ एन जी सी की पुरनपुर, जिला पीलीभीत, उत्तर प्रदेश में मार्च/अप्रैल 1977 में व्यधन कार्य आरम्भ करने की संभावना है । कुएं की प्रायोजित गहराई 6000 मीटर है और कुएं की लगभग एक वर्ष में पूरे होने की संभावना है ।

(ख) लगभग 2.40 करोड़ रुपये ।

(ग) व्यधन के लिये तकनीकी और गैर-तकनीकी कर्मचारी लगभग 820 होंगे । अधिकतर कर्मचारी आयोग की अन्य प्रायोजनाओं से लिये जायेंगे और केवल कुछ अकुशल और अर्ध-कुशल कर्मचारी सामान्यतः रोजगार कार्यलय के जरिये स्थायी रूप में नियुक्त किये जाएँगे ।

Applications for Employment of dependents pending with Northern Railways

1297. PROF. NARAIN CHAND PRASHAR: Will the Minister of RAILWAYS be pleased to state:

(a) the number of applications for employment of dependents of railway employees whose parents died while in the service of the Railways now pending with the Northern Railway, Division-wise, as on 1st July, 1976; and

(b) the number of those who have been provided employment on this score during the years 1974-75, 1975-76 and in the months of April, May and June, 1976?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Information is given in the attached statement.

Statement

Name of the Division	No. of applications pending on 1-7-76	No. of persons given employment during				
		1974-75	1975-76	April	May	June 1976
Delhi	132	64	69	2	3	11
Ferozepur	130	30	37	..	..	..
Lucknow	326	20	34	5	7	3
Bikaner	46	15	70	7	8	5
Jodhpur	26	7	17	1	..	..
Moradabad	74	59	106	1	1	1
Allahabad	115	34	41	25 (for April, May & June)		
Headquarters	7	14	15	4	2	3
Extra Divl. Offices	42	28	58	1	6	..
FA & CAO (Adm)	3	20	32	1	5	4

Decision to extend Major Mail Trains upto Chandigarh and Amritsar

1298. SHRI MOHINDER SINGH GILL: Will the Miniser of RAILWAYS be pleased to state:

(a) whether a decision has been taken to extend some major mail trains terminating at New Delhi at present upto Chandigarh and Amritsar; and

(b) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) Does not arise.

Grant of COB Licences during 1975-76

1299. SHRI NANUBHAI N. PATEL: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) the names of the firms who have been granted COB licences in 1976 and what were the basis of granting capacities in those COB licences;

(b) whether a uniform policy is being adopted while granting COB licences; and

(c) if not, reasons therefor?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) A statement showing the names of the firms who have been granted COB licences during the period 1st January, 1976 to 31st July, 1976 is attached. Capacities in the COB licences are fixed on the basis of guidelines laid down by the Government in consultation with technical authorities.

(b) Yes, Sir.

(c) Does not arise.

Statement

S. No.	Name of the undertaking	COB Licence No. and date	Item of manufacture	Capacity per year
1.	M/s. Mysore Resins Chemicals Ltd., Mysore.	IL:9 (76) dated 31-1-76	Formaldehyde	6,000 tonnes
2.	M/s. Uni-UCB Ltd., Bombay.	IL:25 (76) dated 23-2-76	Drug Formulations	Vespara Tablets: 5·2 million Nos.
3.	M/s. Tamil Nadu Dadha Pharmaceuticals Ltd., Madras	C:IL:53 (76) dated 8-4-76	Drug Formulations	(1) Tablets: 89 million Nos. (2) Ampoules: 18,355 litres (3) Vials: 692 litres (4) Capsules: 7·7 million Nos. (5) Ointment: 7000 Kgs. (6) Liquids: 4550 litres
4.	M/s. Rahuri Sahkari Sakhar Karkhane, Rahuri (Maharashtra)	56 (76) dated 29-4-76	Rectified Spirit	4·30 million litres.

A.C. Accommodation and A.C. Chair Cars

1300. SHRI S. R. DAMANI: Will the Minister of RAILWAYS be pleased to state:

(a) the extent of occupancy of 1st class A. C. accommodation and A. C. Chair cars during last year and in the first quarter of the current year;

(b) the figures of occupancy in 2nd class A. C. 2-tier coaches since their inception; and

(c) the programme for progressive increase of 2nd class A. C. 2-tier coaches on all the Railways.

THE DEPUTY MIINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Information is being collected and will be laid on the Table of the Sabha.

(c) 32 self-generating air conditioned 2-tier sleeper coaches are programmed to be manufactured for fast long-distance trains.

मतदाता सूचियों का तैयार किया जाना

1301. श्री हुकम चन्द कछवाय : क्या विधि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि क्या आपात स्थिति की घोषणा के बाद से विभिन्न राज्यों में मतदाता सूचियों को तैयार करने का काम सब प्रकार से पूरा हो गया है ?

विधि, न्याय और कम्पनी कार्य मंत्रालय में राज्य मंत्री (डा० वी० ए० सैयद मोहम्मद): 1 जनवरी, 1976 को अर्हता तारीख मान कर सभी राज्यों और संघ राज्य क्षेत्रों में निर्वाचक नामावलियों के पुनरीक्षण का कार्य 1 अप्रैल, 1976 को प्रारम्भ किया गया था और इस कार्य को 16 अगस्त, 1976 तक पूरा कर दिया जाना था ।

Railway Line from Alleppey to Neenda Kara

1302. SHRI C. JANARDHANAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether a proposal of the Kerala Government for the construction of a new railway line from Alleppey to Neenda Kara has been examined by the Chief Construction Manager of the Southern Railway; and

(b) if so, the salient features thereof and Government's reaction thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No formal proposal has been received from the State Government.

(b) Does not arise.

रेलवे (मध्य रेलवे) द्वारा संचालित स्कूलों में अध्यापकों की संख्या

1303. श्री गंगा चरण दीक्षित : क्या रेल मंत्री यह बताने की कृपा करेंगे कि मध्य रेलवे के प्रत्येक डिवीजन में रेलवे द्वारा संचालित स्कूलों में अध्यापकों की संख्या क्या है ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह) : मध्य रेलवे द्वारा चलाये जा रहे स्कूलों में अध्यापकों की मंडलवार संख्या निम्नलिखित है :—

मंडल		अध्यापकों की संख्या
बम्बई	.	41
भुसावल	.	79
नागपुर	.	27 इनमें एक अंशकालिक अध्यापक भी शामिल है।
जबलपुर	.	19
झांसी	.	21

कास्टिक सोडा तथा सोडा एश का उत्पादन

1304. डा० लक्ष्मीनारायण पांडेय : क्या रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) सरकार ने पांचवीं पंचवर्षीय योजना के अन्त तक कास्टिक सोडा और सोडा एश के उत्पादन का कितना लक्ष्य निर्धारित किया है ;

(ख) इस समय कास्टिक सोडा और सोडा एश किन-किन कारखानों में बनाया जाता है और उसका कुल वार्षिक उत्पादन कितना है ; और

(ग) इस समय देश में उनकी खपत कितनी है ?

रसायन और उर्वरक मंत्रालय में उपमंत्री (श्री सी० पी० माझी) :

(क) पांचवी पंचवर्षीय योजना के अन्त तक कास्टिक सोडा और सोडा राख के उत्पादन का निर्धारित लक्ष्य नीचे दिया हुआ है :—

कास्टिक सोडा

लाख मी०टन

क्षमता (1978–79)	8.75
उत्पादन (1978–79)	7.00

सोडा राख

क्षमता (1978–79)	11.00
उत्पादन (1978–79)	8.80

(ख) अपनी स्थापित क्षमताओं के साथ कास्टिक सोडा और सोडा राख के उत्पादन करने वाले कारखानों का नाम सभा पटल पर रखे गए विवरण-पत्र में दर्शाया हुआ है। [ग्रन्थालय में रखा गया। देखिए संख्या एल. टी—11192/76]

वर्ष 1975 के दौरान कास्टिक सोडा और सोडा राख का कुल उत्पादन नीचे दिया हुआ है :—

	मी० टन
कास्टिक सोडा	4,42,644
सोडा राख	5,41,432

(ग) देश में कास्टिक सोडा और सोडा राख का उपभोग उत्पादन के अनुसार है।

रेल मंत्रालय में हिन्दी में कार्य

1305. श्री भागीरथ भंवर : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उनके द्वारा रेल मंत्रालय का कार्यभार सम्भालने के बाद से हिन्दी में किये गये कार्य की प्रगति की मुख्य रूप-रेखा क्या है और हिन्दी में किये गये कार्य कि पूर्व प्रतिशतता क्या है ?

(ख) क्या पश्चिम रेलवे में केवल 40 प्रतिशत कार्य हिन्दी में होता है जब कि यह हिन्दी भाषी क्षेत्र है और यदि हां, तो इसके क्या कारण हैं ; और

(ग) क्या उत्तर रेलवे में केवल 33 प्रतिशत कार्य हिन्दी में होता है और यदि हां, तो इसके क्या कारण हैं ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह): (क) से (ग). सूचना इकट्ठी की जा रही है और सभा पटल पर रख दी जायेगी।

Oil Exploration around Bay of Cambay

1306. SHRI FATEHSINGHRAO GAEKWAD: Will the Minister of PETROLEUM be pleased to state.

(a) whether there is any possibility of offshore exploration in and around Bay of Cambay or near Kutch and Saurashtra Coast other than the areas covered by Bombay High structures; and

(b) if so, which are the places and what are the plans?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) Yes Sir.

(b) Geophysical surveys were carried out by Oil and Natural Gas Commission of Saurashtra Coast in the early part of 1976. Further work of the Saurashtra Coast is planned to be done during December, 1976 and January, 1977.

A contract was awarded to M/s. Reading and Bates Group for exploration in the Kutch offshore area. The campany has drilled one explatory well, the data obtained from which is currently under review. A decision for further exploration in this area will be taken on the basis of the results of this review.

Construction of Railway Line between Gohana and Panipat (Northern Railway)

1307. SHRI MUKHTIAR SINGH MALIK: Will the Minister of RAILWAYS be pleased to state:

(a) whether the construction work on the branch Railway line between Gohana and Panipat of Northern Railway has been completed; and

(b) if not, the approximate time to be taken in the completion thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) The project is likely to be completed by 31st March, 1979.

राजस्थान में पेट्रोल एजेंसियां

1308. श्री लालजी भाई : क्या पेट्रोलियम मंत्री यह बताने की कृपा करेंगे कि :

(क) राजस्थान में कुल कितनी पेट्रोल एजेन्सियां हैं और हाल ही में कितनी पेट्रोल एजेन्सियों की कहां-कहां पर स्वीकृति दी गई है ; और

(ख) अनुसूचित जाति और अनुसूचित जनजाति के व्यक्तियों को कितने प्रतिशत एजेन्सियां आबंटित की गई हैं ?

पेट्रोलियम मंत्रालय में उपमंत्री (श्री जियाउर्रहमान अन्सारी) : (क) और (ख). 1-1-1976 को राजस्थान में समस्त तेल कम्पनियों के कुल पेट्रोल पम्पों की संख्या लगभग 508 है। नीति के रूप में 1-1-1974 से अनुसूचित जाति/अनुसूचित जनजाति के व्यक्तियों को 'ए' स्थल के 25 प्रतिशत पेट्रोल पम्पों को आई०ओ०सी० आबंटित करती है। अप्रैल, 1976 से राजस्थान में पालदीमीना, कुकास, सलाड़ा, सन्देराव, मुल्ला, बेग तथा मालमेठ पर 6 फुटकर पम्प प्रारम्भ किये गये। इन 6 में से पालदीमीना तथा कुकास में अनुसूचित जाति/अनुसूचित जनजाति के व्यक्तियों को दो पेट्रोल पम्प दिये गये हैं।

पूर्वोत्तर सीमान्त रेलवे में करुणामूलक आधार पर रोजगार

1309. श्री/रामेश्वर प्रसाद यादव : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) पूर्वोत्तर सीमान्त रेलवे में 1975 से 1976 के जुलाई मास तक करुणामूलक आधार पर कितने आवेदनपत्र रोजगार प्राप्त करने के लिए महाप्रबन्धक और डिवीजन अधीक्षकों के पास किये गये हैं ;

(ख) करुणामूलक आधार पर कितने बेरोजगार युवकों को नियुक्त किया गया है और उसका डिवीजन वार ब्योरा क्या है ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह): (क) 386

(ख)

मंडल	नियुक्त किये गये व्यक्तियों की संख्या
कटिहार	23
अलीपुर-द्वार	35
लमडिंग	40
तिनसुकिया	15
मुख्यालय और गैर मंडल कार्यालय	31
जोड़	144

Plans to provide Facilities at Stations in West Bengal

1310. SHRI R. N. BARMAN: Will the Minister of RAILWAYS be pleased to state:

(a) the total number of railway stations in West Bengal which are without platform sheds, waiting rooms; facilities for dispatching telegraphic messages and facilities of public services; and

(b) the plans formulated for providing all these facilities?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The total number of railway stations in West Bengal which are without platform sheds, waiting rooms, facilities for dispatching telegraphic messages and facilities for public services are indicated below:—

(i) No. of stations without platform sheds 260.

(ii) No. of stations without waiting rooms (Upper Class) 322.

(iii) No. of stations without facilities for dispatching telegraph massages and facilities of public services. 295.

It is presumed that by the words "Public Services" the Hon'ble Member is referring to facility for dispatch of telegrams by the public.

(b) Provision of cover over the platform is made after taking into consideration the climatic conditions and volume of passenger traffic offering at a particular station.

Waiting rooms are also provided taking into account the total number of upper class passengers at a particular station.

These works are carried out on a programmed basis subject to the approval of the Railway Users' Amenities Committee who while selecting such works take into consideration the public opinion and the availablity of funds. On this basis 28 stations in West Bengal have been selected for provision of platform shelters in the Works Programme for years 1976-77 and 1977-78.

Out of 616 stations in West Bengal public can dispatch telegrams from 321 stations. Extension of these facilities to other stations is dependent on public demand availability of resources and facilities.

Relaxation of MRTP Act

1311. SHRI INDRAJIT GUPTA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are considering to relax Monopolies and Restrictive Trade Practices Act;

(b) whether Government are aware of the fact that the Federation of Associations of Small Industries of India is against any move to relax the MRTP Act on the large industrial houses on the plea that they will market the products of the small scale sector; and

(c) if so, Government's reaction thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA: (a) No, Sir.

(b) The Department of Company Affairs has not received any representation from the Federation of Associations of Small Industries of India.

(c) Does not arise.

Production of Vital Drugs

1312. SHRI K. MALLANNA: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have a proposal under consideration to draw up a plan for production of vital drugs in consultation with indigenous sector of the drug industry; and

(b) if so, the broad features thereof?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). The Committee on Drugs & Pharmaceuticals have identified 117 Essential medicines to be made available in large quantities and have also indicated the bulk drugs required therefor. All efforts are being made to increase production of bulk drugs involved therein by great of industrial licences/approvals. From 1-4-1975, as many as 121 licences/letters of intent have been issued to drug manufacturers.

Orders passed against Companies by MRTP Commission

1313. SARDAR SWARAN SINGH SOKHI: Will the Minister of LAW,

JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the names of firms and companies against whom the Monopolies and Restrictive Trade Practices Commission has passed orders of 'Cease and Desist' in June this year together with particulars of their foreign collaborations;

(b) the names of the companies against whom such orders were passed earlier this year;

(c) whether the orders have been properly executed; and

(d) the follow-up action taken by the concerned Departments?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) The required particulars are furnished in the statement laid on the Table of the House. [*Placed in Library. See* No. LT-11193/76]. Particulars of foreign collaboratoion of the undertakings mentioned in the Statement are not readily available with the Department of Company Affairs which is not administratively concerned with the subject.

(b) The names of Companies are given in the statement laid on the Table of the House. [*Placed in Library. See* No. LT-11194/76].

(c) and (d). While making orders or delivering judgments in matters relating to restrictive trade practices, the Commission in most cases requires the respondents to file an affidavit indicating the manner in which the Orders made have been implemented. These affidavits are required to be filed within a time specified in the Orders. Such affidavits are geenrally filed by the due date unless the Commission extends the date on application.

राजधानी एक्सप्रेस गाड़ी में सीटों को बुकिंग

1314. श्री शंकर दयाल सिंह : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) गत छ: महीनों के दौरान दिल्ली से बम्बई और कलकत्ता के बीच और कलकत्ता तथा बम्बई से दिल्ली के बीच चलने वाली राजधानी एक्सप्रेस गाड़ियों की कुल सीटों में से कितनी सीटों को बुक किया गया, और

(ख) इससे रेलवे को कितना लाभ अथवा हानि हुई ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह) : (क) 1-1-76 से 30-6-76 तक की अवधि के दौरान राजधानी एक्सप्रेस गाड़ियों में उपलब्ध स्थान की तुलना में बुक किये गये स्थानों की संख्या इस प्रकार है :—

	वातानुकूलयान		वातानुकूल कुर्सीयान सीटे	
	उपलब्ध	बुक किये गये	उपलब्ध	बुक किये गये
101 अप हवड़ा-नयी दिल्ली	936	970	18,980	17,561
102 डाउन नयी दिल्ली—हवड़ा	936	686	18,980	16,650
151 डाउन बम्बई सेन्ट्रल नयी दिल्ली	882	724	16,685	16,525
152 अप नयी दिल्ली-बम्बई सैन्ट्रल	936	635	17,286	14,930

(ख) अलग-अलग गाड़ियों के खर्चे नहीं रखे जाते । फिर भी, राजधानी एक्सप्रेस गाड़ियों की वित्तीय लाभप्रदता के निर्धारण के लिये उनके परिचालन की कुल लागत का हिसाब लगाने के लिए अध्ययन किया जा रहा है ।

New Railway Lines in Gujarat during Fifth Plan

1315. SHRI P. M. MEHTA: Will the Minister of RAILWAYS be pleased to state:

(a) whether some new railway lines were to be constructed in the Gujarat State during the Fifth Five Year Plan;

(b) if so, how many new lines have so far been constructed; and

(c) how many more are likely to be constructed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (c). Survey reports are under examination/surveys in progress for the following proposed new rail links in the State of Gujarat:

Name of the line	Present position
1. Gandhidham-Lakhpat new BG/MG line.	Survey reports are under examination.
2. Shamlaji Road-Modasa new MG/ Nadiad-Kapadvanj-Modasa conversion-cum-new BG.	Do.
3. Bhavnagar -Trapore new BG.	Surveys are in progress.

A decision in respect of these proposals will be taken after eaxmination of survey reports and depending upon availability of funds.

Construction of Sabarmati-Gandhinagar new rail link, 28 kms. has recently been completed and opened to traffic. A decision regarding taking up new rail links during the remaining period of the 5th Five Year Plan has not yet been taken.

Conference of General Managers of Zonal Railways and Production Units

1316. SHRI M. KATHAMUTHU:
SHRI Y. ESWARA REDDY:

Will the Minister of RAILWAYS be pleased to state:

(a) whether a two day conference of the General Managers of Zonal Railways and Production Units was held in New Delhi recently; and

(b) if so, the gist of the deliberations that took place and outcome thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes. The Conference was held on 30th and 31st July, 1976.

(b) The deliberations covered matters concerning both intra Railway and inter-Railway operations, financial performance, and future targets. The conclusions arrived at this Conference will be actively pursued by the General Managers and the Railway Ministry.

दिल्ली उच्च न्यायालय में खाद्य अपमिश्रण रोक अधिनियम के अधीन मामले

1317. श्री हरी सिंह : क्या विधि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली उच्च न्यायालय में 1 जून, 1975 से 30 जून, 1976 की अवधि में खाद्य अपमिश्रण रोक अधिनियम के अन्तर्गत कितने मामले सुनवाई के लिए आए तथा उच्च न्यायालय ने उनमें से कितने मामलों में सजाएं बहाल रखीं ; और

(ख) कितने मामले अब तक सुनवाई के लिए पड़े हैं ?

विधि, न्याय और कम्पनी कार्य मंत्री (श्री एच० आर० गोखले) (क) 15-6-1975 से 30-6-1976 तक की अवधि के दौरान 32 मामले निपटाए गए और उनमें से 27 मामलों में दोषसिद्धि बहाल रखी गई।

(ख) 30-6-1976 को ऐसे 41 मामले लम्बित थे।

Railway Employees and Officials punished on various counts

1318. SHRIMATI SAVITRI SHYAM: Will the Minister of RAILWAYS be pleased to state:

(a) whether after Proclamation of Emergency a number of Railway employees and officials have been charge-sheeted, suspended, removed, dismissed and awarded penalties for the charge of corruption, bribery and for not performing duty properly, for rude behaviour to the general public and for late coming to duty; and

(b) if so, the number thereof, reason-wise?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). The information is being collected and will be laid on the Table of the Sabha.

Establishment of new Units of Drugs

1319. SHRI SOMCHAND SOLANKI: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) how many applications for the establishment of new units were received during the past three years;

(b) in how many cases approval for the manufacture of drugs were given and the names of items, capacities approved and main conditions under such approvals; and

(c) in how many cases the proposals were rejected and main reasons for rejection and whether Government gives any preference to new entrepreneurs and if so, facts thereof?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) to (c). Information is being collected and will be laid on the Table of the House, as soon as possible.

प्रथम श्रेणी के जाली टिकटों से यात्रा कर रहे चोर/डाकू

1320. श्री नाथेश्वर द्विवेदी: क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 42 डाउन मसूरी एक्सप्रेस में प्रथम श्रेणी के जाली टिकटों से यात्रा कर रहे कुछ चोरों अथवा डाकुओं को रेलवे के कर्मचारियों ने 7/8 जुलाई, 1976 की रात्रि को उत्तर रेलवे के मण्डी धनौरा नामक स्थान पर पकड़ लिया था; और

(ख) उक्त अपराधियों को गिरफ्तार करने में सहायता करने वाले रेल कर्मचारियों को इनाम देने के लिए क्या कार्यवाही की गई है ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह) : (क) जी नहीं। लेकिन 6/7-7-76 को रात को मण्डी धनौरा के सहायक स्टेशन मास्टर ने अन्य रेल कर्मचारियों की सहायता से दिल्ली निवासी करम चन्द के पुत्र पप्पू नामक एक अपराधी को 42 डाउन मसूरी एक्सप्रेस में बिना टिकट यात्रा करते हुए पकड़ा था। उसके कब्जे से कुछ कोरी अतिरिक्त किराया टिकट (एक्सेस फेयर

टिकट) तथा कोरी पर्ची टिकट पुस्तकें (ब्लैंक फेयर टिकट) और अन्य सम्पत्ति बरामद की गयी है। मुरादाबाद की सरकारी रेलवे पुलिस ने भारतीय दण्ड संहिता की धारा 41/120/411 के अधीन डायरी सं० 5 पर एक मामला दर्ज कर लिया है और इसकी जांच पड़ताल की जा रही है।

(ख) जांच पड़ताल पूरी हो जाने पर और पूरे तथ्य मालूम हो जाने के बाद उन रेल कर्मचारियों को पुरस्कार दिये जाने की सिफारिश की जायेगी जिन्होंने अपराधी को पकड़ने में सहायता की थी।

Authorised Porters on Railways

1321. DR. K. L. RAO: Will the Minister of RAILWAYS be pleased to state:—

(a) how many authorised Porters are there on the Indian Railways;

(b) whether they have been provided facilities such as sheds for taking lunch;

(c) whether they are supplied with badges and clothes free of charge or at subsidised rates;

(d) whether any study has been made of their working conditions; if so, what measures are being taken to improve their working conditions; and

(e) whether free medical assistance is provided to them and their families?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) There are about 38 thousand licensed porters on the Indian Railways

(b) Licensed porters are entitled to avail the facility of canteens wherever provided at railway stations and make use of waiting halls provided for second class passengers.

(c) Licensed porters are invariably supplied with badges and buckles against a security deposit of Rs. 3 which is refundable. They are supplied two sets of uniforms of durable cloth a year. They are also allowed to provide their uniforms themselves if they so desire, according to the standards laid down by the Railway Administrations. The cost of uniforms is met out of the licence fee charged from licensed porters and no subsidy is given in this regard.

(d) Yes. A Study Group was constituted by the Ministry of Labour to look into the working conditions of the licensed porters. Out of the 55 recommendations made by the Study Group to improve the working conditions of licensed porters, 31 recommendations have been accepted in toto, 9 accepted in modified form and implemented. Three recommendations were in the nature of observations only and 12 have not been accepted.

(e) Licensed porters are entitled to free out-door medical treatment in a railway hospital/dispansary for self only. They are, however, entitled for indoor treatment in case they are grievously hurt while carrying passengers' luggage at stations.

New traffic target fixed for Fifth Plan

1322. SHRI D. D. DESAI: Will the Minister of RAILWAYS be pleased to state:

(a) whether a new target has been fixed for the total traffic to be handled by the Railways by Fifth Plan end;

(b) if so, whether this is less than the target fixed in the draft Fifth Plan; and

(c) if so, salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (c). During the recent discussions held with the

Planning Commission for finalisation of the Fifth Five-Year Plan, the Planning Commission have indicated that, keeping in view the developments in different sectors of national economy, the demand of rail-borne freight traffic in the last year of the Plan would be about 260 million tonnes against 300 million tonnes envisaged originally in the draft Fifth Five-Year Plan document.

Road over-bridges to be constructed in Southern Maharashtra

1323. SHRI ANNASAHEB GOTKHINDE: Will the Minister of RAILWAYS be pleased to state:

(a) whether at the time of the inauguration of the road over-bridge at Miraj, South Central Railway, the need for more road over-bridges in the region was stressed; and

(b) if so, the locations of such bridges which are proposed to be taken up in Southern Maharashtra during the current and the next year?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) No. Some members of the public at the inauguration ceremony, however, desired early completion of the road over bridges at Kolhapur and Karad. Railway have completed their portion of the work on these road over bridges, but the State Government have yet to complete the approaches.

(b) Does not arise in view of reply to part (a) above. However, a list of road over-bridges proposed to be taken up in South Maharashtra during the current year 1976-77 and those which are under consideration for taking up during 1977-78 is given below:

List of road overbridges proposed to be taken up during 1976-77.

At Mohol, subject to depositing of estimated cost by the State Government.

List of road overbridges under consideration for taking up in 1977-78.

At Ghorpuri.

For the above purpose South Maharashtra has been taken to include the area to the south of Kalyan-Pune-Dhond Broad Gauge Railway route.

Prices of Essential Drugs

1324. SHRI VEKARIA: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have taken any decision on the fixation of prices of essential drugs; and

(b) if so, the facts thereof?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) to (b). The prices of drugs statutorily controlled under the provisions of Drug (Prices Control) Order, 1970. The prices of bulk drugs and formulations including essential drugs have already been fixed by the Government in accordance with the provisions of the said Order. Drug manufacturing units having turn-over not exceeding Rupees fifty lakhs are however exempt from the purview of the said Order.

Committee on Distribution system of Kerosene in Rural areas

1325. SHRI RAM PRAKASH: Will the Minister of PETROLEUM be pleased to state:

(a) whether any Committee was appointed by Government to examine and report on the need for strengthening the system of distribution of kerosene oil mainly in rural areas; and

(b) if so, the broad features of the recommendations of this Committee?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). With a view to improve the distribution system of petroleum products, a Committee under the Chairmanship of Shri K. R. Damle was set up by the Government. Among other things, the Committee had examined the question of distribution of kerosene oil in rural areas. The Committee has recommended that a detailed field survey should be carried out by a specialist agency to determine accurately the demand for kerosene oil so that an alternative distribution arrangement for this product could be attempted. The Committee had reviewed a report on Taluka Kerosene Depot (TKD) Survey/Pilot Project submitted to it by the Hindustan Petroleum Corporation Limited in coordination with the oil industry members and has recommended that there is a strong case for establishing TKDs in the interest of achieving the objective of equitable distribution of kerosene in the rural areas. Further, the Committee has suggested that the Central Government should examine in depth the desirability of locating certain company-operated points at selected railheads/ports, primarily to serve areas which are currently located at a great distance from the existing company storage points/towns. The Committee has also observed that the overall benefit that should accrue to the consumer from the TKD scheme can only be guaranteed if adequate arrangements are made in advance to meet the increased demand which will result from the implementation of this schemes.

Manufacture of bulk drugs by I.D.P.L.

1326. SHRI BHAIJIBHAI PARMAR: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state whether I.D.P.L. have cornered entire bulk drugs capacity as per 5th Five Year Plan targets, but they do not plan to take up production of some of the items either in the near future or even by the end of the 5th Five Year Plan period?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): The Committee on Drugs & Pharmaceuticals Industry have recommended that the Public Sector should be given the major role for the production of bulk drugs. This Committee has also recommended allocation of production responsibility for certain drugs to Indian Drugs & Pharmaceuticals Limited. Based on these recommendations and other factors Government have approved the establishment of new capacities by I.D.P.L. The details of licences/letters of intent granted to I.D.P.L. during the Fifth Plan Period and when they are likely to go into production have been indicated in reply to Lok Sabha Unstarred Question No. 920 answered on the 17th August, 1976.

Supply of Railway Coaches and Engines

1327. SHRI M. KALYANSUNDARAM: Will the Minister of RAILWAYS be pleased to state:

(a) how many countries are to be supplied with Railway coaches, engines and rails by Railways in 1976;

(b) whether Railways have achieved the export targets in 1975-76; and

(c) how far the installed capacity of the Railway workshops has been fully utilized during the current year and salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) During 1976 the Indian Railways are supplying coaches and engines (locomotives) to Tanzania. The question of export of 50 lbs. second hand rails with fittings to Nepal is also under examination.

(b) There is no export target as such for the Indian Railways.

(c) The capacity available in the Railway Repair Workshops has been fully utilised.

As regards the Production Units the available capacity in Chittaranjan Locomotive Works, Chittaranjan and Diesel Locomotive Works, Varanasi, has been fully utilised. In the case of Integral Coach Factory, Perambur, it has not however been possible to fully utilise the available capacity due to constraint of funds.

The average monthly outturn during first quarter of 1976-77 from Railway Repair Workshops and Production Units has been as under:—

1. *Railway Repair Workshops*:

Type of rolling Stock	Monthly capacity for overhaul—repair	Monthly average outturn for 1st quarter of 1976-77
BG steam Locomotives	140	144
M.G. Steam Locomotives	121	123
BG & MG Diesel Locomotives	9·5	10
BG coaching stock in 4 wheeler units	1830	1759
MG coaching stock in 4 wheeler units	1438	1371
BG wagons in 4 wheeler units	8515	8779
MG wagons in 4 wheeler units	208	2924

2. *Production Units*

	Monthly capacity	Monthly average production of 4 months of 1976-77.
Chittaranjan Locomotive Works	5·5 Electrical Locos	3·0
	4 Diesel Locos	2·25
Diesel Locomotive Works	10 Locos	7·25
Integral Coach Factory	62·5 coaches	48·25 (Shells) 43·50 (Furnishing)

Chittaranjan Locomotive Works: The production of locomotives has been limited only because of constraint of funds. With a view to fully utilise the available capacity, measures were taken by diversification, introducing production of additional electric traction motors and bogies, manufacture of steam loco components, overhaul of diesel locos and repairs of electric locomotives.

Diesel Locomotive Works: The production of locomotives at D.L.W. has been affected owing to constraint of funds. With a view to utilising the capacity fully at DLW vigorous diversification was undertaken and DLW supplied larger number of spare components to the Zonal Railways for maintenance of diesel locomotives. DLW also entered the export market, manufacture of Diesel Generating Sets and Diesel Shunters for the Steel Plants.

Integral Coach Factory: The production at ICF is constrained only owing to shortage of funds. With a view to utilising the surplus capacity, efforts were made for diversification. Coaches from Railways were sent for corrosion repairs and overhaul, and also supply of spare components to the Railways and outside units.

Growth rate of demand for Petroleum Products

1328. SHRI RAJDEO SINGH: Will the Minister of PETROLEUM be pleased to state:

(a) whether the growth rate in the demand for petroleum products which had been nine per cent had fallen during the last two years; and

(b) whether besides the price increase, there are other contributory factors to this steep fall?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) Yes, Sir.

(b) Besides increase in prices, several other measures taken to reduce consumption, such as emphasis on switch-over to coal, increase in efficiency in the use of fuel, training of fuel engineers and other operating staff of the furnace oil consuming industries in modern efficiency techniques, regulatory measures to discourage inessential consumption, etc., also contributed to the reduction in demand.

Transportation of Iron Ore from Bellary

1329. SHRI B. V. NAIK: Will the Minister of RAILWAYS be pleased to state:

(a) whether the transportation of iron ore from Bellary in Karnataka State *via*, Madras harbour has been found to be comparatively more expensive than *via* Marma Goa, if so, by what amount;

(b) what is the utilisation of the respective routes *viz.*, the Hospet-Bellary-Madras route and the Hospet-Marma Goa route in the transportation of iron ore and manganese ore; and

(c) what are the steps taken to make optimum utilisation of these routes?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The Railway freight charges for iron ore in wagon-loads from Bellary to Madras Harbour is Rs. 4.55 per quintal as against Rs. 3.89 per quintal for this traffic from Bellary to Marma Goa harbour, inclusive of supplementary charge and Port haulage charges.

(b) As on 31-3-76 the utilisation of line capacity on the various sub-sections of Hospet-Guntakal-Madras Broad Gauge route ranges from 34 to 80 per cent, the average utilisation being generally above 60 per cent on most of the route. The utilisation of 34 per cent is only on Hospet-Guntakal B.G. route where no passenger trains are run. On the Guntakal-Hospet-Marma Goa Metre Gauge route, the utilisation of line capacity varies between 56 per cent to 100 per cent, the average utilisation being generally above 80 per cent on most of the route.

(c) Guntakal-Hospet-Marma-Goa M.G. route is already being utilised to the optimum as the line capacity utilisation is generally more than 80 per cent. As regards Hospet-Guntakal-Madras B.G. route, against the actual iron ore movement of 2.29 million tonnes during 1975-76, it is expected that movement will be about 3 million tonnes during 1976-77 and will stabilise at 5 million tonnes level in the early Sixth Plan period.

Clearance accorded to Railway Lines

1330. SHRI S. L. PEJE: Will the Minister of RAILWAYS be pleased to state:

(a) total number of proposals for new railway lines sent by the Railway Ministry to the Planning Commission during 3rd and 4th Plans;

(b) how many of them were approved by the Planning Commission; and

(c) whether proposal of Apta-Dasgaon line has been recommended to the Planning Commission by the Railway Ministry during the 5th Plan; and if so, what is the reaction of the Planning Commission thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Twenty eight.

(b) Twenty one.

(c) The proposal for the construction of Apta-Dasgaon rail link during the 5th Plan period was recommended to the Planning Commission who have not agreed for its being taken up at present.

Paid up capital, assets and profits of Burmah Shell

1331. SHRI SOMNATH CHATTERJEE: Will the Minister of PETROLEUM be pleased to state:

(a) the total paid up capital of Burmah Shell as in 1951 and on the eve of its complete take-over by Government;

(b) the broad features of the fixed and other assets of this company as in 1951 and the time of its nationalisation;

(c) the total profits earned and the amounts remitted by this Company under each head including head office expenses, year-wise from 1972—74; and

(d) the total amount of compensation given to the Company on its nationalisation and on what basis the quantum of this compensation was determined?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) The total paid up capital of Burmah Shell Oil Storage & Distributing Company of India Limited on 31st December, 1951 was £4 million (equivalent to Rs. 5.34 crores) and on the eve of complete take-over of the Burmah Shell group of companies in January, 1976 by Government, the total paid-up capital was Rs. 32.75 crores.

(b) Burmah Shell Refineries Limited was incorporated in 1952 and the Refinery was commissioned in 1955. Till 1955 Burmah Shell Oil Storage & Distributing Company of India Ltd., was marketing petroleum products which were mainly imported. The book value of assets owned by Burmah Shell at the end of 1951 and immediately before the take-over by the Government in January, 1976, were Rs. 681 lakhs and Rs. 4807 lakhs respectively. Broad features of the assets are given below—

	As on 31-12-1951	As on 31-12-1975
	(Rs. lakhs)	
1. Net fixed assets	464	2409
2. *Current assets*		
Less current liabilities	217	2398

(c) Profits earned and the amounts remitted by the companies in respect of profits/dividends during the years 1972 to 1974 are as under:—

	1972	1973	1974
		(Rs. lakhs)	
1. Net profit including transfer from Development Rebate Reserve Account after statutory period of eight years.	251·8	486·8	74·3
2. Remittances	114·7	38·1	130·9

There were no remittances on account of Technical/Service fees, Royalties and Head Office expenses during these years.

(d) The total amount payable for the acquisition of the Burmah Shell Undertakings in India (i.e. Indian assets of Marketing Company and shares of Refining Company) is Rs. 37 crores which corresponds to £ 20,279,696 as under:—

(i) Refining Company	Rs. 9·25 crores	£5,069, 924
(ii) Marketing Company	Rs. 27·75 crores	£15, 209, 772
	Rs. 37·00 crores	£20, 279,696

It would not be in the public interest to disclose the basis of determining the amount payable to Burmah Shell at this stage as negotiations are currently going on for take-over of Caltex and Assam Oil Company.

Electrified track between Kharagpur and Midnapur

1332. SHRI SUBODH HANSDA: Will the Minister of RAILWAYS be pleased to state:

(a) what steps are under consideration for increasing the capacity of Kharagpur-Adra sections; and

(b) what are the difficulties in extending electrified track and EMU coach service for 13 Kilometre stretch between Kharagpur and Midnapur and introduction of direct trains between the district headquarters and Haldia Jhargram?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The existing capacity is considered adequate to meet the requirements of traffic.

(b) Electrification of the section is not justified for the present level of traffic. Direct trains between Haldia and Midnapur and between Jhargram and Midnapur cannot be introduced, as no terminal facilities are available at Midnapur. These are not available at Jhargram also.

Conversion of Narrow gauge line into Broad gauge in Jabalpur Division (Madhya Pradesh)

1333. SHRI NITIRAJ SINGH CHAUDHARY: Will the Minister of RAILWAYS be pleased to state:

(a) when would the conversion of narrow gauge line in Jabalpur Division (M.P.) to broad gauge be taken up;

(b) whether Railways appointed a Committee to enquire into the economic feasibility of the above in seventies;

(c) did the said Committee recommended that the conversion would be economical; and

(d) whether the Government of Madhya Pradesh has also requested for the above and if so, when and with what results?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Surveys were carried out for the gauge conversion of northern section of the Satpura N.G. Railway system with its branches into broad gauge (652 kms.) but the project was not found to be viable on financial and traffic considerations. It is proposed now to carry out a Preliminary-Engineering-cum-Traffic Survey for the conversion of Jabalpur-Gondia narrow gauge section only to broad gauge during current financial year. The proposal will be considered further, after the surveys are completed and reports examined.

(b) A Preliminary Engineering-cum-Traffic Survey was ordered.

(c) No.

(d) The proposal of the Government of Madhya Pradesh was received in the Ministry of Railways in January, 1976 and the Government of Madhya Pradesh was informed of the position indicated in part (a) above.

Utilization of Railway land (Northern Frontier Railway)

1334. SHRI ROBIN KAKOTI: Will the Minister of RAILWAYS be pleased to state:

(a) total hectares of land in possession of North East Frontier Railway and total hectares of land used by North East Frontier Railway for its own purposes; and

(b) total hectares of land leased out to individuals for paddy and other crops plantation purposes and for shops, hotels and Commercial purposes?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Total hectares of land in possession of North East Frontier Railway is 24.794 and the area used by the Railway Administration for its own purposes is 19,408 hectares.

(b) Total hectares of land licensed to individuals for paddy and other crops is 2,978 and area that is licensed for shops, hotels and commercial purposes is 38 hectares.

तेल निर्यातक देशों के संगठन का कम मूल्य पर तेल सप्लाई करने का निर्णय

1335. श्री मोहन स्वरूप : क्या पेट्रोलियम मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को पता है कि वियाना सिटी में हाल में आयोजित तेल निर्यातक देशों के संगठन की बैठक में कृषि विकासशील देशों को कम मूल्य पर तेल सप्लाई करने का निर्णय किया गया है;

(ख) यदि हां, तो तेल निर्यातक देशों के संगठन के निर्णय का ब्यौरा क्या है; और

(ग) इससे भारत को कितना लाभ होने की सम्भावना है ?

पेट्रोलियम मंत्रालय में उपमंत्री (श्री जियाउर्रहमान अंसारी) : (क) सरकार की सूचना के अनुसार ऐसा कोई निर्णय नहीं लिया गया था।

(ख) और (ग). प्रश्न नहीं उठता।

Surplus of Fertilizers due to Small Off-take

1336. SHRI B. V. NAIK: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether there is stock pile of fertilizer with the fertilizer factories due to small off-take; and

(b) if so, the stock in factories now and 12 months back?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). The stock with the indigenous manufacturers as on 1-8-75 and 1-8-76 was as follows:—

As on	Stock of fertilizers ('000 tonnes) Nitrogen	Phosphate
1-8-75 . .	115	61
1-8-76 . .	250	95

The stock of nitrogen as on 1-8-1976 represents about 29 days production and is not considered high. In case of phosphate, the stock as on 1-8-1976 represents about 45 days production and is slightly on the high side.

Difference on estimated demand of Chemicals Fertilizer

1337. SHRI NITIRAJ SINGH CHAUDHARY: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) the reasons for difference in the estimated needs of chemical fertilizers between Ministry of Agriculture and Irrigation and Ministry of Chemicals and Fertilizers;

(b) whether this has been an annual feature; and

(c) its overall effect on the country and the fertilizer industry.

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) to (c). The estimation of fertilizer requirements is primarily the responsibility of the Ministry of Agriculture. The targets are fixed by the Ministry of Agriculture in consultation with the State Governments and the Ministry of Chemicals and Fertilizers taking into account, *inter alia* the views of this Ministry, agronomic requirement and other relevant factors.

Take-over of Bhakra-Nangal Project Railway

1338. PROF. NARAIN CHAND PARASHAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have decided to take over the Nangal-Bhakra section of the Project Railway in view of the increased goods traffic which is likely to materialise on the location of the News Print factory at Neila near Bhakra Dam in District Bilaspur of Himachal Pradesh;

(b) if so, the date on which the decision was taken; and

(c) the likely date by which the Northern Railway would take over the Project Railway?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No, Sir. Preliminary inquiries made so far have revealed that the take over would not be financially justified. However, the matter is under further examination.

(b) and (c). Do not arise.

Separate Division at Mughal Sarai (Eastern Railway)

1339. PROF. NARAIN CHAND PARASHAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether a separate division of the Eastern Railway has been sanctioned at Mughal Sarai;

(b) if so, the likely date by which the Division would be opened; and

(c) the jurisdiction of the proposed division?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) The division is to be opened in three phases beginning from the current year. All the three phases are likely to be completed by 1979-80.

(c) Mughalsarai—Manpur (both inclusive), Sone Nagar—Garhwa Road (both inclusive), Barwadih (exclusive)—Chopan (inclusive), Billi—Singrauli (both inclusive), Meralgram—Bhavnathpur (both inclusive) and Copan—Chunar (exclusive).

Loss to Railways due to Uneconomic Railway Lines

1340. SHRI MOHINDER SINGH GILL: Will the Minister of RAILWAYS be pleased to state:

(a) the amount lost by the Railways during the last three years, year-wise, in running the uneconomic lines in the country; and

(b) whether some steps are being contemplated to bring these lines out of the red and to make them economical?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The loss excluding dividend suffered by the Railways in running the uneconomic Branch Lines for the last three years is as under:—

1972-73	Rs. 11.39 crores.
1973-74	Rs. 19.90 crores.
1974-75	Rs. 26.14 crores.

(b) Steps taken to reduce the losses are given below:—

(1) Expenditure on staff, fuel and other maintenance stores has been numerically/quantitatively kept at the minimum, consistent with operational needs;

(2) Marketing & Sales activities on these Sections have been intensified.

(3) To the extent possible, crossing stations are converted into halt stations;

(4) Strengthening of the track of certain Narrow Gauge lines is being contemplated in order to increase the speed and load of the train;

(5) Rolling Stock is being replaced on a phased basis;

(6) Intensive checks are conducted to combat ticketless travel.

Import of Common Intermediates used in Production of Dyes, Pesticides and Drugs

1341. SHRI NANUBHAI N. PATEL: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) what are common intermediates which are used by dyes, pesticides and drug industries and whether some of the companies who are engaged in the manufacture of dyes, pesticides and drugs import these intermediates under one industry and utilise them in other scheduled industry; and

(b) how many instances of this nature have come to the notice of Government last year and facts thereof?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). The information is being collected and will be laid on the Table of the House.

नैरो गेज लाइनों पर चलने वाली गाड़ियों का रद्द किया जाना

1342. श्री हुकम चन्द कछवाय : क्या रेल मंत्री यह बताने की कृपा करेंगे कि रेलवे के विभिन्न जोनों में नैरो गेज लाइनों पर चलने वाली कितनी गाड़ियां रद्द की गई हैं ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह) : इस समय छोटी लाइन की 33 जोड़ी गाड़ियां रद्द हैं जिनमें से 19 जोड़ी गाड़ियां वर्षा, टूट-फूट बांधों के निर्माण आदि के कारण अस्थाई रूप से रद्द की गयी हैं ।

नैरो गेज लाइनों के इंजनों तथा डिब्बों की अन्य देशों को बिक्री

1343. श्री हुकम चन्द कछवाय : क्या रेल मंत्री यह बताने की कृपा करेंगे कि क्या सरकार का विचार नैरो गेज लाइनों के बेकार पड़े इंजनों तथा डिब्बों को कुछ अन्य देशों को बेचने का है ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह) : जी हां । मांग प्राप्त होने पर सरकार छोटी लाइन के उन इंजनों और सवारी डिब्बों को बेचने के लिए सदैव इच्छुक रहती है जिनकी उपादेयता समाप्त हो गयी है ।

छोटी लाइनों को बन्द करने का प्रस्ताव

1344. श्री हुकम चन्द कछवाय : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या देश में छोटी लाइन अलाभप्रद पाई गई है ;

(ख) यदि हां, तो 1973 से मार्च 1976 तक की अवधि के दौरान इन लाइनों पर कितनी हानि उठानी पड़ी ; और

(ग) क्या देश में छोटी लाइनों को बंद करने का प्रस्ताव है और यदि हां, तो कब तक ।

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह) : (क) जी हां, उनमें से अधिकांश ।

(ख) लाभांश को छोड़कर पिछले दो वर्षों के दौरान जो हानि हुई है वह इस प्रकार है :–

1973–74	6.24 करोड़ रुपये
1974–75	8.65 करोड़ रुपये

वर्ष 1975–76 में हुई हानि के आंकड़ों को अभी तक अंतिम रूप नहीं दिया गया है ।

(ग) रेल मंत्रालय की यह नीति है कि आमान की बहुलता जो कि यातायात के संचालन में एक अवरोध बन गया है, को उत्तरोत्तर दूर किया जाय और सारे देश में समान रूप से बड़े आमान की लाइने बनायी जायें । लेकिन यह एक निर्धारित कार्यक्रम के आधार पर करना पड़ेगा और इसमें काफी समय लगेगा ।

Electrification of Olavakkot-Trivandrum Railway Line

1345. SHRI C. JANARDHANAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether the cost-*cum*-feasibility study for electrification of Olavakkot-Trivandrum Central section has been started; and

(b) if so, the progress so far made thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Survey work is in progress and is expected to be completed by early next year.

मध्य प्रदेश में लेवल-क्रासिंगों पर ऊपरी पुलों का निर्माण

1346. श्री गंगा चरण दीक्षित: क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1974-75, 1975-76 और 1976-77 के दौरान मध्य प्रदेश सरकार को लेवल क्रासिंगों पर ऊपरी पुलों का निर्माण करने के लिए कितनी धन राशि दी गई ;

(ख) क्या राज्य सरकार ने इनमें से अब तक किसी राशि का उपयोग किया है ; और

(ग) यदि हां, तो कितनी धनराशि का उपयोग किया गया है और मध्य प्रदेश में अब तक कितने स्थानों पर लेवल क्रासिंगों पर राज्य सरकार ने ऊपरी पुल बनाए हैं ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह): (क) रेल सुरक्षा निर्माण कार्य निधि से मध्य प्रदेश को आवंटित की गयी राशि इस प्रकार है :

1974-75 17.21 लाख रुपये

1975-76 (संशोधित अनुमान) 17.31 लाख रुपये

1966-77 (बजट अनुमान) 17.80 लाख रुपये

(ख) जी नहीं।

(ग) प्रश्न नहीं उठता।

मध्य प्रदेश में बिछाई गई नई रेलवे लाइनें

1347. श्री गंगा चरण दीक्षित : क्या रेल मंत्री यह बताने की कृपा करेंगे कि गत तीन वर्षों में मध्य प्रदेश में बिछाई गई नई रेलवे लाइनों का ब्यौरा क्या है ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह): विगत तीन वर्षों के दौरान मध्य प्रदेश में जिन नयी लाइनों का काम पूरा किया गया/चल रहा है वे इस प्रकार हैं :—

क्रम संख्या	परियोजना का नाम	अनुमानित लागत	दूरी (कि० मी० में)	वर्तमान स्थिति
1.	गुना—मक्सी	10.51 करोड़ रुपये	193.53	यह लाइन माल यातायात के लिए खोल दी गयी है। आशा है कि 30-11-76 तक यात्री गाड़ियां चलायी जायेंगी।
2.	हिरदागढ़—बामोह	2.25 करोड़ रुपये	14.30	कार्य अनुमोदित हो चुका है, लेकिन निर्माण अब तक शुरू नहीं किया गया है।

Allocation of Bombay High Gas to Consumers in Gujarat

1350. SHRI FATEHSINGHRAO GAEKWAD: Will the Minister of PETROLEUM be pleased to state:

(a) the allocation of Bombay High gas to satisfy long awaited demands of people of Gujarat and to help the existing projects on the anvil as a second fertilizer factory to be set up at Chawaj near Bharuch;

(b) whether there is any possibility of a 450 MW Power Plant based on this associated gas being located at a suitable place like Pipavau near Zafrabad in Saurashtra;

(c) whether pipelines from Bombay High and adjoining places will be laid to set up a 450 MW Power Plant, a Fertilizer Plant, Soda Ash and other salt based industries; and

(d) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) to (d). The issue relating to the transportation and utilisation of the associated gas from Bombay High field are under study.

Progress on Projects of I.P.C.L.

1351. SHRI FATEHSINGHRAO GAEKWAD: Will the Minister of PETROLEUM be pleased to state:

(a) the progress of various projects undertaken by the Indian Petrochemical Corporation Limited at Jawaharnagar, Baroda;

(b) whether these projects are running on schedule;

(c) if not, what are the difficulties coming in the way of implementation of these projects; and

(d) the steps taken to remove these difficulties?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) The Aromatics Project was completed and commissioned in 1973. The Olefins Project and its downstream Units are at an advanced stage of construction.

(b) No Sir.

(c) The main reasons for some slippage from the schedules adopted earlier have been:—

(i) Technological problems with indigenous equipment, especially spheres and columns.

(ii) Late arrival and non-sequential receipt of piping materials.

(iii) Late arrival of indigenous equipment such as super-heater and components due to various reasons.

(iv) Re-order on foreign suppliers of pumps originally ordered on indigenous suppliers.

(d) The progress of various activities is reviewed from time to time and suitable measures are taken to overcome the difficulties if any, in the way of timely implementations of the projects.

Construction of Railway line between Rohtak and Bhiwani

1352. SHRI MUKHTIAR SINGH MALIK: Will the Minister of RAILWAYS be pleased to state:

(a) at what stage does the construction work on the proposed new Railway line between Rohtak and Bhiwani stand;

(b) the total amount so far spent on the construction work; and

(c) the time likely to be taken in the completion thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Overall physical progress achieved on the project is about 39 per cent.

(b) An amount of Rs. 1,21,41,000 has been spent upto 31-3-1976.

(c) March 1979, subject to timely availability of adequate funds.

Conversion of Chhotaudepur Pratapnagar and Chuchhapura-Tankhala

1353. SHRI FATEHSINGHRAO GAEKWAD: Will the Minister of RAILWAYS be pleased to state:

(a) whether the traffic survey report for conversion of Chhotaudepur-Pratapnagar and Chuchhapura-Tankhala narrow gauge line into broad gauge line is under examination for the last four years; and

(b) if so, when will the examination of the report be over and a decision taken in this respect?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Surveys carried out for the conversion of proposed rail link in 1970—72 revealed that this project of length 137 kms. will cost Rs. 8.79 crores and would be unremunerative. In view of the present difficult financial position of railways and lack of adequate traffic justification it is not proposed to take up this project for conversion at present.

उच्चतम न्यायालय में मुकदमों की पैरवी करने के लिये सरकार द्वारा नियुक्त किये गये वकील

1354. श्री मूल चन्द डागा : क्या विधि, न्याय और कम्पनी कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1975–76 के दौरान उच्चतम न्यायालय में केन्द्रीय सरकार की ओर से कितने मुकदमे लड़े गये तथा सरकारी वकीलों के अतिरिक्त जो वकील नियुक्त किये गये उनके नाम क्या हैं तथा इसके लिये उन्हें फीस के रूप में कितनी राशि दी गई; और

(ख) अन्य वकीलों को नियुक्त करने के क्या कारण हैं ?

विधि, न्याय और कम्पनी कार्य मंत्री (श्री एच० आर० गोखले): (क) 1975–76 में भारत के उच्चतम न्यायालय में केन्द्रीय सरकार के मामलों में नियुक्त किए गए पैनल के और पैनल से बाहर के अधिवक्ताओं के नाम, उन्हें सौंपे गए मामलों की संख्या और प्रत्येक अधिवक्ता को दी गई फीस सम्बन्धी विवरण सभा पटल पर रख दिया गया है। [ग्रन्थालय में रखा गया। देखिए संख्या एल टी 11194/76]

(ख) पैनल से बाहर के काउंसेल केवल ऐसी असाधारण परिस्थितियों में नियुक्त किए जाते हैं जब पैनल काउंसेल उपलब्ध न हों।

Cases Pending in Supreme Court

1355. SHRI R. K. SINHA:

SHRI CHANDRA SHEKHAR SINGH:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the total number of civil and criminal cases pending in the Supreme Court as on 30th June, 1976; and

(b) the particular efforts made to ensure early disposal of these cases?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a). 10,427 appeals and writ petitions under article 32 of the Constitution were pending.

(b) The file of pending cases is always under review of the Chief Justice of India. Special Benches to hear criminal appeals involving Capital sentence Tax appeals, Election Appeals and Labour Appeals etc. are formed from time to time as and when the occasion requires and the arrears cleared as far as possible. Matters involving identical questions, or arising out of the same subject matter, are grouped together and special efforts are made to see that such groups are disposed of early. Further, Supreme Court Rules were revised in the year 1966 and the job of printing the appeals record which was being done previously by the High Courts was taken over by the Supreme Court with a view to speedy disposal of cases.

Petroleum Centres

1356. SHRI P. GANGADEB: Will the Minister of PETROLEUM be pleased to state:

(a) whether his Ministry has taken any decision recently to increase the number of petroleum centres in the country;

(b) whether all kinds of petroleum products would be sold by these centres; and

(c) if so, salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) to (c). By the end of this year about 400 retail outlets in the rural and semi-urban areas are proposed to be converted by the oil companies into multi-purpose distribution centres. Apart from the various petroleum products such as Motor Spirit, Kerosene, Diesel Oils and Lubes, these centres will also sell many commodities and services required by the rural population such as certified seeds, fertilizers and other agricultural inputs and essential commodities like controlled cloth, common household drugs, soaps, Vanaspati and cooking oil (in sealed tins), tyres and tubes for cycles, tractor parts, torch cells, etc. Services of physicians on a part-time basis are also provided at some of these centres.

Fertilizer Complex in North Zone

1357. SHRI P. GANGADEB: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the second biggest fertilizer complex in the north zone has been set up by Government;

(b) if so, when it is to go on stream;

(c) what will be the cost of the project; and

(d) whether the project will produce fertilizer in abundance in the region; and if so, facts thereof?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) to (d). The Fertilizer plants under implementation at Bhatinda and Panipat by M/s. National Fertilizers Limited, each with a capacity of 235,000 tonnes of nitrogen per annum, would be the second largest fertilizer plants in the country. The Bhatinda project is expected to commence commercial production in January 1978 while the Panipat Project is expected to commence commercial production in July 1978. The cost of each project is estimated at Rs. 174 crores. With the commissioning of these projects, there would be a substantial addition to indigenous availability of fertilizers in the region.

Production of Nitrogenous Fertilisers during 1976-77

1358. SHRI P. GANGADEB: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether his Ministry is taking any steps to produce more Nitrogenous fertilisers in 1976-77, as compared to 1975-76;

(b) if so, what will be the percentage of increase; and

(c) what is the current years production target for the Nitrogenous fertilizers?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) to (c). The target for production of nitrogen has been fixed at 19.5 lakh tonnes during 1976-77 which would represent a 27 per cent increase over the production of 15.35 lakh tonnes achieved during 1975-76.

Credit by World Bank for Modernisation of Sindri Fertilizer Plant

1359. SHRI N. E. HORO: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state the terms and conditions of the credit to India by the International Development Association of the World Bank for the modernisation and expansion of the Sindri Fertilizer Plant?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): The International Development Association, an affiliate of the world Bank, has granted a credit of $ 91 million for the Sindri Modernisation Plant. The credit is repayable in fifty years including ten years of grace period. The credit does not carry any interest but only a service charge of 3/4 per cent per annum.

निर्मली-सरायगढ़ मीटर गेज लाइन का पुनः बिछाया जाना

1360. श्री चिरंजीव झा : क्या रेल मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या पूर्वोत्तर रेलवे के निर्मली-सरायगढ़ मीटर गेज रेल लाइन को पुनः बिछाने के लिए प्रारम्भिक इंजीनियरी एवं यातायात सर्वेक्षण रिपोर्ट की जांच कब तक हो जाने की सम्भावना है; और

(ख) सर्वेक्षण रिपोर्ट की मुख्य बातें क्या हैं?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह): (क) और (ख). सर्वेक्षण दल प्रस्तावित रेल सम्पर्क की सर्वेक्षण रिपोर्टों का संकलन कर रहा है और आशा है कि यह रिपोर्ट शीघ्र ही इस कार्यालय में प्राप्त हो जायेगी। रिपोर्टों के प्राप्त हो जाने के बाद उनकी जांच का काम आरम्भ किया जायेगा।

संवैधानिक तथा संसदीय अध्ययन संस्थान

1361. श्री मूल चन्द डागा: क्या विधि न्याय और कम्पनी कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) संवैधानिक तथा संसदीय अध्ययन संस्थान पर इस समय तक कुल कितना व्यय हुआ है;

(ख) क्या संस्थान की उपलब्धियों का निर्धारण करने के लिये कोई पुनरीक्षा समिति गठित की गई थी और यदि हां, तो क्या इसने अपना प्रतिवेदन दे दिया है; और

(ग) यदि हां, तो उसकी मुख्य सिफारिशें क्या हैं और उन्हें किस रूप में कार्यान्वित किया जा रहा है?

विधि, न्याय और कम्पनी कार्य मंत्रालय में राज्य मंत्री (डा०वी० ए० सैयद मोहम्मद) : (क) वर्ष 1965–66 से 1975–76 के दौरान भारत सरकार ने कुल 20,59,300 रु० का सहायता अनुदान दिया है। संस्थान को, चालू वित्तीय वर्ष 1976–77 के लिए अब तक 1,00,000 रु० का सहायता अनुदान भी दिया जा चुका है।

(ख) जी हां।

(ग) एक विवरण संलग्न है, जिसमें पुनरीक्षा समिति की मुख्य सिफारिशें दर्शाई गई हैं। सांविधानिक और संसदीय अध्ययन संस्थान को पुनरीक्षा समिति की सिफारिशों से अवगत करा दिया गया है। इन सिफारिशों पर उसकी प्रतिक्रिया अभी प्राप्त नहीं हुई है और प्राप्त होने पर सरकार द्वारा आगे आवश्यक कार्यवाही की जाएगी।

विवरण

पुनरीक्षा समिति की मुख्य सिफारिशें निम्नलिखित हैं :—

(i) संस्थान को चाहिए कि वह अपना कार्यकलाप सांविधानिक और संसदीय अध्ययन के क्षेत्र तक ही सीमित रखें और उसे अपने वे कार्यकलाप छोड़ देना चाहिए जो उसके उद्देश्यों से सीधे सम्बन्धित न हों।

(ii) संस्थान तदर्थ विदेशी अनुदानों के कारण अपनी पूर्विकताओं और उद्देश्यों से विचलित न हो इसके लिए संस्थागत व्यवस्थाएं की जानी चाहिएं।

(iii) संस्थान को चाहिए कि वह सरकार के पूर्वानुमोदन के बिना विदेशी या देशी किसी भी स्रोत से कोई अनुदान/संदान स्वीकार न करे और न अपने कार्यकरण में सलाह देने के लिए किसी विदेशी परामर्शदाता को नियुक्त करे। विदेशी बैंकों में जमा निधियां/धन भारत में अन्तरित कर लिया जाना चाहिए।

(iv) संस्थान को चाहिए कि वह अपने प्रबन्ध और दिन-प्रतिदिन के कार्यकलापों में संरचनात्मक परिवर्तन और सुधार लाने के लिए अपने संगम ज्ञापन (मेमोरेन्डम आफ एसोसियेशन) और नियमों में संशोधन करें।

(v) संस्थान को चाहिए कि वह, अन्य बातों के साथ, अपने कर्मचारियों की बाबत भरती, सेवा शर्तों, उत्तरदायित्व के आवंटन, आदि को शासित करने वाले व्यापक नियम गठित करें।

(vi) यदि संस्थान इस समिति की सिफारिशों को लागू करने का वचन देता है तो उसे प्रारम्भ में 4 लाख रुपए तक का वार्षिक आवर्ती सहायता अनुदान दिया जाना चाहिए।

ब्रांच सेक्रेटेरियेट, बम्बई में सरकारी वकील अथवा कानूनी सलाहकार

1362. श्री मूल चन्द डागा : क्या विधि, न्याय और कम्पनी कार्य मन्त्री यह बताने का कृपा करेंगे कि :

(क) ब्रांच सेक्रेटेरियेट, बम्बई में कितने सरकारी वकील अथवा कानूनी

सलाहकार हैं तथा उन पर कुल कितनी धन राशि खर्च का जाती है; और

(ख) क्या सरकारी वकील और कानूनी सलाहकार होने के बावजूद, अन्य वकीलों की सेवाएं ली जाती हैं और यदि हां, तो इसके क्या कारण हैं ?

विधि, न्याय और कम्पनी कार्य मंत्री (श्री एच० आर० गोखले) : (क) और (ख). जानकारी इकट्ठी की जा रही है और सदन के पटल पर रख दी जाएगी।

कम्पनी अधिनियम के अन्तर्गत दोषी पाई गई सरकारी कम्पनियां

1363. श्री मूल चन्द डागा : क्या विधि, न्याय और कम्पनी कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) गत तीन वर्षों में कम्पनी विधि बोर्ड ने कम्पनी अधिनियम के अन्तर्गत कितनी सरकारी कम्पनियों को दोषी पाया और प्रत्येक को किस किस प्रकार की सजा दी गई; और

(ख) क्या सरकारी कम्पनियों ने कम्पनी विधि बोर्ड से अनुरोध किया है कि उन्हें कम्पनी अधिनियम की धारा 43क (1-क) से मुक्त किया जाये और यदि हां, तो इसके क्या कारण हैं और सरकार ने इस सम्बन्ध में क्या कार्यवाही की है ?

विधि, न्याय और कम्पनी कार्य मंत्रालय में उपमंत्री (श्री बेदब्रत बरुआ) : (क) 1973, 1974 व 1975 वर्षों के मध्य, सरकारी कम्पनियों द्वारा कम्पनी अधिनियम के अन्तर्गत किये गये अपराधों/उल्लंघनों की बाबत ब्यौरे वार सूचना दिनांक 22-4-1975 के लोकसभा अतारांकित प्रश्न संख्या 7221 के बारे में दिये गये आश्वासन को पूर्ण करते हुये, दिनांक 29 मार्च, तथा 31 मार्च 1976 को संसद् कार्य विभाग को भेजी गई थी। यह विवरण पत्र लोक-सभा पटल पर 15-4-76 को प्रस्तुत किया गया था।

(ख) अनेक सरकारी कम्पनियों तथा सरकारी उपक्रमों की स्थायी समिति से, सरकारी कम्पनियों को, कम्पनी अधिनियम 1956 की धारा 43क (1-क) के उपबन्धों से मुक्ति के लिये, अभ्यावेदन प्राप्त हुये थे, ताकि वे 1 फरवरी, 1975 तक सरकारी निगम जो कम्पनी के रूप में पूर्व स्थिति का परिरक्षण कर सकें।

परन्तु चूंकि उक्त उपबन्ध के अन्तर्गत, एक प्राइवेट लिमिटेड कम्पनी की, एक पब्लिक लिमिटेड कम्पनी के रूप में सांविधिक परिवर्तन हिस्सा पूंजी का विचार किये बिना व्यापारवर्त पर आधारित है, अतः इस बाबत सरकारी कम्पनी तथा गैर-सरकारी कम्पनी के मध्य कोई भेद नहीं किया जा सका, और इसलिये कोई मुक्ति नहीं दी गई थी वे मन्त्री को गत वर्ष दिसम्बर में तदनुसार सूचित कर दिया गया था।

रेलवे में कार्य कर रहे नैमित्तिक श्रमिकों का स्थायीकरण

1364. श्री रामावतार शास्त्री : क्या रेल मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या रेलवे में इस समय भी नियमित कार्य के लिये नैमित्तिक श्रमिक नियुक्त किये जा रहे हैं,

(ख) क्या नैमित्तिक श्रमिक पद्धति को समाप्त करने के लिए रेलवे बोर्ड ए० आई० आर० एफ० और एन० एफ० आई० आर० के प्रस्तावों से सहमत हो गया है और उसने अपने पत्र संख्या ई० (एन० जी०) II-74-सी० एल०/127 दिनांक 20 जून, 1974 द्वारा

इस निर्णय के शीघ्र कार्यान्वयन के लिये भारतीय रेलवे के सभी महाप्रबन्धकों को आदेश जारी किये हैं और क्या यह आदेश क्रियान्वित नहीं किया जा रहा है ; और

(ग) यदि हां, तो भारतीय रेलवे में अब तक कितने नैमित्तिक श्रमिक कार्य कर रहे हैं और क्या उपर्युक्त भाग (ख) में उल्लिखित निर्णय के आधार पर नियमित कार्य के लिये नियुक्त किये गये ऐसे सभी नैमित्तिक श्रमिकों को स्थायी करने का विचार है ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह) : (क) जी नहीं।

(ख) और (ग). जिस बात पर सहमति हुई थी, वह नैमित्तिक श्रमिक प्रणाली की समाप्ति नहीं थी। कुछ नैमित्तिक श्रमिकों को परियोजनाओं के लिए और ऐसे काम के लिए जो सामयिक, सविरामी या अल्प-कालिक होते हैं, लगाये रखना पड़ता है। यह सहमति ऐसे नैमित्तिक श्रमिकों, जो नियमित प्रकृति का काम, जिसका ब्यौरेवार विवरण दिया गया है काम कर रहे हों की नैमित्तिक प्रणाली की समाप्ति की थी। इसे कार्यान्वित किया जा रहा है। 31-3-1976 तक श्रेणी IV में 4534 नये पदों की मंजूरी की गयी है। बहुत से अन्य श्रमिकों को श्रेणी IV के उपलब्ध पदों पर समायोजित कर लिया गया है। 30-9-1974 को कुल मिला कर 25,000 नैमित्तिक श्रमिक नियमित कार्मों पर लगे हुए थे जिनमें से 31-3-1976 तक 11,400 श्रमिकों को श्रेणी IV के कर्मचारियों के रूप में नियमित कर दिया गया है। नैमित्तिक श्रमिक प्रणाली की समाप्ति बराबर हो रही है और यथा समय उन सभी नैमित्तिक श्रमिकों को, जो नियमित काम कर रहे हैं, नियमित कर दिया जायेगा।

गंगाब्रिज निर्माण कार्यालय, पटना के नैमित्तिक श्रमिकों को यात्रा भत्ता

1365. श्री रामावतार शास्त्री : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या ओपन लाइन की तरह प्रोजेक्ट में भी आठ किलोमीटर से अधिक दूरी तक सरकारी कार्य के लिए जाने पर नैमित्तिक मजदूरों सहित सभी श्रमिकों को नियमानुसार यात्रा भत्ता मिलता है; और

(ख) क्या गंगा ब्रिज सर्वेक्षण कार्य के लिए पटना स्थित दफ्तर के नैमित्तिक श्रमिकों को उक्त सुविधा से वंचित रखा गया है ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह) : (क) जी हां।

(ख) जी नहीं। जब भी वे सरकारी काम के लिए सर्वेक्षण क्षेत्र से बाहर जाते हैं हैं उन्हें यात्रा भत्ता दिया जाता है।

Proposal to extend Dadar-Nagpur Express upto Bokaro

1366. SHRI VASANT SATHE: Will the Minister of RAILWAYS be pleased to state:

(a) whether the proposal for extension of Dadar-Nagpur Express upto Bokaro was under consideration of his Ministry;

(b) if so, the decision taken in the matter; and

(c) if not, the time by which Government will take a final decision?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a). Yes.

(b) and (c). This proposal has been examined and not found feasible for want of requisite resources at present.

Oil exploration on Kerala Coast by Foreign Countries

1368. SHRI N. SREEKANTAN NAIR: Will the Minister of PETROLEUM be pleased to state:

(a) whether certain foreign Companies have made offers for conducting oil exploration work on Kerala coast;

(b) if so, the names of those foreign companies; and

(c) the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR REHMAN ANSARI): (a) Yes Sir.

(b) and (c). It will not be in the public interest to give details.

Conversion of Trivandrum-Quilon Railway line into Broad Gauge line

1369. SHRI N. SREEKANTAN NAIR: Will the Minister of RAILWAYS be pleased to state:

(a) whether the funds allotted for conversion of the Trivandrum-Quilon railway into broad gauge are for inadequate to requirements; and

(b) whether any cut on the funds allotted for the purpose has been imposed; if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Adequate funds have been allotted to complete the work quickly.

(b) A readjustment in the funds allotted for different projects has been made in view of the overall national priorities.

Introduction of Double-decker Train

1370. SHRI DHAMANKAR: Will the Minister of RAILWAYS be pleased to state:

(a) when are the much awaited double-decker trains likely to be introduced to meet the increasing passenger needs;

(b) what is the estimated capacity of a double-decker coach as compared to the ordinary rail coach and what would be its cost, how far would it be economical to run a double-decker train; and

(c) on which routes such coaches are proposed to be introduced and whether sleeping accommodation could be provided thereon for long distance journeys?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Only one prototype double decker coach has been initially manufactured.

(b) This coach has a carrying capacity of 146 second class seats (as against 80 in ordinary rail coach) and the approximate estimated cost of construction is Rs. 9 lakhs. Economics of running this coach can be estimated only after some time.

(c) This coach is intended for use on short distance intercity trains and no sleeping accommodation is provided. The train to which this proto-type coach will be attached is under consideration.

Railway Employees Arrested, Removed or Dismissed for Committing Theft

1371. SHRI CHANDRA SHEKHAR SINGH: Will the Minister of RAILWAYS be pleased to state how many Railway employees have been arrested, removed or dismissed for committing thefts and pilferages of the Railway Property during the present emergency?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): 2023 Railway employees were arrested for committing thefts and pilferages of the Railway property during the period from July, 1975 to July, 1976, out of which 159 were removed from service and 23 were dismissed.

Staff Council meetings in Integral Coach Factory, Madras

1372. SHRIMATI ROZA DESHPANDE:
SHRIMATI PARVATHI KRISHNAN:

Will the Minister of RAILWAYS be pleased to state:

(a) whether the practice of holding Staff Council meetings in the Integral Coach Factory, Madras, has been given up;

(b) if so, the reasons therefor; and

(c) whether there has been no meeting since October, 1975, inspite of requisition by the members?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) Does not arise.

(c) There have been 7 meetings of the Staff Council since October, 1975.

Shares held by Government in private companies

1373. SHRI INDRAJIT GUPTA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the number of private companies in which Government hold shares together with the total amount of shares held;

(b) whether any representative of Government is there on the Board of Directors of all these private companies; and

(c) if so, the total number of such Government representatives?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) According to the latest published "Finance Accounts" of the Union Government for the year ending 1973-74, the Central Government (other than the Ministry of Railways) held shared in Seven private companies registered under the Companies Act, 1956 in that year. The total amount of shares held by the Central Government in these seven companies was Rs. 26,03,90,731.

(b) and (c). The information is being collected and will be laid on the Table of the House.

Companies Formed during the Last One Year

1374. SARDAR SWARAN SINGH SOKHI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the names of the newly formed and registered limited companies during the last one year and the purpose for which these companies have been allowed by Government to function in the country and abroad;

(b) how many of these limited companies have foreign collaborations; and

(c) the names of the companies whose applications for registration are pending with Government?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) and (b). 3154 companies limited by shares were registered during the calendar year, 1975 under the Companies Act, 1956. The names of these companies together with the object for which they have been floated have been published in the Department's monthly 'Journal Company News and Notes'. Copies of this Journal are available in the Parliament House Library.

Two of these companies had got foreign collaboration.

(c) The information is being collected and will be laid on the Table of the House.

Non-compliance of Provisions of the Companies Act by Companies in Gujarat

1375. SHRI P. M. MEHTA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether a list of some Companies in Gujarat, more particularly covered under the miscellaneous Non-Banking Companies (Reserve Bank) Direction, 1973 issued by the R.B.I., was forwarded to his Ministry in 1974, 1975 and also in 1976 alleging non-compliance of provisions under the Companies Act, 1956;

(b) whether in some cases show cause notices were also issued;

(c) if so, whether any action was taken against any of the Companies;

(d) how many cases of such Companies are still pending with Government; and

(e) what steps are being taken to .spose of these pending cases?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) and (b). Yes, Sir.

(c) to (e). Out of the 16 companies mentioned in the representation received by the Government, in 4 cases orders of the High Court for winding up of the company on the basis of petitions presented under section 433/439 of the Companies Act, 1956 have been passed and in 4 cases petitions under section 433/439 of the Companies Act, 1956 have been presented before the High Court. Out of the remaining 8, in 3 cases action for presenting the petitions has been considered and dropped. In one case no action was taken as the company was found to be earning profit. The remaining 4 cases are being pursued by the Regional Director to whom powers under Section 439(5) of the Companies Act, 1956 have been delegated.

Manufacture of Antibiotics

1376. SHRI P. M. MEHTA: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) how many companies are engaged in the manufacture of antibiotics in the country and names of antibiotic formulations manufactured by them;

(b) how many of them are engaged in the manufacture of bulk antibiotics and particulars thereof; and

(c) whether these companies import some of the antibiotics at exorbitant prices from their principals abroad if so, what action Government propose to curb this tendency?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) There are more than 2500 companies engaged in the production of drugs and pharmaceuticals in the country. The number of drug formulations produced by them runs into several thousand and identification of formulations in which antibiotics have been used will require examination of composition of each formulation. The time and labour involved in collecting this data will not be commensurate with the results likely to be achieved.

(b) A statement indicating the names of the companies engaged in the manufacture of bulk antibiotics and their licenced capacities is laid on the Table of the House. [Placed in Library. See No. LT- 11195/76].

(c) No such instance has come to the notice of Government. If any specific instance is brought to the notice of the Government, the same could be looked into and action taken in accordance with the law on the subject.

Implementation of Programmes on Railways

1377. SHRIMATI SAVITRI SHYAM: Will the Minister of RAILWAYS be pleased to state:

(a) the various steps taken on Railways to implement the 20-Point

Programme of the Prime Minister and the 4-Point Programme of Shri Sanjay Gandhi;

(b) the outcome thereof; and

(c) whether the efficiency in Railways has increased after proclamation of emergency?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). A statement is laid on the Table of the House. [*Placed in Library. See* No. LT-11196/76].

(c) Yes.

Issue of Industrial licences and letters of Intent

1378. SHRI SOMCHAND SOLANKI: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) how many companies having foreign equity of more than 26 per cent were granted industrial licences and letters of intent during the current year upto the end of July, 1976;

(b) particulars regarding names, items, capacities granted and major conditions on which these letters of intents/licences were granted; and

(c) how it is ensured that the conditions subject to which approvals are granted, are fulfiled by the concerned companies?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). Two statements, one showing the position of industrial licences at Annexure I and the other that of letters of intent at Annexure II are laid on the Table of the House. [*Placed in Library. See* No. LT-11197/76.]

(c) A watch is kept by the concerned Government Departments to ensure that the conditions imposed are duly fulfilled.

Drilling of first well in Tanzania by O&NGC

1379. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of PETROLEUM be pleased to state:

(a) whether the Oil and Natural Gas Commission has drilled first well in Tanzania on the 17th June, 1976 this year;

(b) if so, upto which depth the well has been drilled;

(c) whether any traces of natural gas has been found there; and

(d) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) to (d). Oil and Natural Gas Commission spudded its first well on the Songo-Songo Island of Tanzania on the 17th June, 1976. In the early hours of 3rd July, 1976 when the well had been drilled to a depth of 869 metres, high pressure gas was encountered suddenly and unexpectedly. Consequently there was a blow out which was subsequently brought under control and the well was sealed. Arrangements are being made to send another rig to resume drilling in this area.

Export orders received by Indian Railways

1380. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of RAILWAYS be pleased to state:

(a) whether Indian Railways have received export orders for Railway equipment;

(b) if so, whether these export orders are much bigger than that of last year; and

(c) if so, when are these export orders going to be executed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) Yes, the increase in value over last year is 303 per cent.

(c) Out of the export order for supply of 15 diesel locomotives, 5 steam locomotives and 17 coaches to Tanzania, 6 diesel locomotives have since been supplied. Shipment of 5 steam locos and 17 coaches are being arranged during August/September, 1976. The supply of the remaining 9 diesel locomotives to Tanzania will be completed by August, 1977. Execution of export orders for supply of ticket blanks to Zambia and Motor truck frame to Canada are being completed. Another export order currently in hand for supply of wheelsets to Nepal is likely to be completed in approximately 6 months time.

Profit made by O&NGC from Rustam Oilfield in Iran

1381. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of PETROLEUM be pleased to state:

(a) whether the Oil and Natural Gas Commission has made any profit in the Rustam offshore oil field in Iran;

(b) if so, salient features thereof;

(c) whether Iran has indicated its willingness to reduce the rate of taxation for marginal fields; and

(d) if so, facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). The Oil & Natural Gas Commision through its wholly owned subsidiary Hydrocarbons India Limited holds 1/6th share in a concession in Offshore of Iran. Commercial production from Rustam field there started in September, 1969 and from field known as Rakhsh in May, 1971. Upto the end of the year 1973, Hydrocarbons India Limited, after payment of tax etc, had incurred a cumulative loss of Rs. 1280.09 lakhs. During 1974 and 1975, there was a profit after tax, of the order of Rs. 1016.32 lakhs whereby the cumulative loss at the end of 1975 was reduced to Rs. 263.77 lakhs. It is hoped that this loss would be made good soon.

(c) So far there is no such indication.

(d) Does not arise.

Complaints regarding selling of imported raw materials by foreign drug firms

1382. SHRI BHALJIBHAI PARMAR: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have received any complaints of selling imported and canalised raw materials by foreign firms at exorbitant prices in the Indian market;

(b) if so, facts thereof, and how many firms have been black-listed on that account during last three years; and

(c) what action Government propose to take against such firms in the grant of concessions in future?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) to (c). No such instance has come to the notice of the Government. If any specific case is brought to the notice of Government, the same could be looked into and action taken in accordance with the law on the subject.

Submission of application for endorsement of capacities by drug firms

1383. SHRI BHALJIBHAI PARMAR: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) how many companies have applied for endorsement of capacities on the basis of utilisation on Registration Certificates;

(b) whether the companies have also submitted forms 'A' and 'B' along with their applications for endorsement of capacities and if not, on what basis capacities are proposed to be endorsed; and

(c) whether Government propose to conduct any scrutiny to ensure that these formulations which are manufactured without approval are not endorsed on Registration Certificate?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) The number of such companies is 27.

(b) and (c). These companies have submitted applications in the prescribed proforma. The same would be dealt with according to the prescribed procedure and decision that might be taken on the recommendations of the Hathi Committee.

Imports of Ethinyl Oestradiol and Esterone

1384. SHRI BHALJIBHAI PARMAR: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to refer to the reply given to Starred Question No. 758 on 11th May, 1976 regarding import of Penultimate intermediates by foreign drug firms and state:

(a) what were the imports of Ethinyl Oestradiol and Esterone allowed to various companies during the past three years; and

(b) whether permissions granted to these companies under Industries (D&R) Act allowed for the import of these intermediates and if so, the facts thereof?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). Imports of Drugs and medicines including intermediates are allowed in accordance with the Import Trade Control Policy in force from time to time. According to the said policy import of Ethinyl Oestradiol is banned for the last three years. Imports of esterone under this policy is allowed to actual users.

Details about the actual import including conditions prescribed about the imports in the Industrial licences granted to various companies during the last three years are being collected and will be laid on the Table of the House.

Share of Railway's earnings in developing fund and welfare fund

1385. SHRI M. KALYANASUNDARAM: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government improved its earnings from Railway freight in 1975-76 and 1976;

(b) if so, the salient features thereof; and

(c) how far this would be reflected in the development fund and welfare fund for the employees?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) Earnings from Railway freight and the originating tonnage carried during 1975-76 compared to 1974-75, and for first 3 months of 1976-77 as compared to corresponding period of 1975-76, are given below:—

(i) For the year 1975-76 compared with 1974-75

	1974-75	1975-76
(a) Eearnings from freight (In crores of Rupees)	1438·28	1803·85
(b) Originating tonnage of revenue-earning traffic (in millions) .	173·6	196·19

(ii) For 3 months of April/76 to June/76 compared with April/75 to June/75.

	April/75 to June/75	April/76 to June/76
(a) Earnings from freight (In crores of rupees)	270·47	329·92
(b) Originating tonnage of revenue-earning traffic (In millions) .	45·40	50·85

(c) As the Railways indebtedness to General Revenues on account of Development Fund expenditure (including users' and staff amenities) is substantial, the budgetted surplus of Rs. 8.98 crores will reduce this burden only marginally.

Development of fuel economy stove by O&NGC

1386. SHRI RAJDEO SINGH: Will the Minister of PETROLEUM be pleased to state:

(a) whether the R.D. wing of the O & N.G.C. or Oil India is developing an improved domestic kerosene stove as a measure of fuel economy; and

(b) if so, the progress made so far?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). No, Sir. However the R&D wing of IOC and IIP have jointly develop such stove. After all the necessary tests etc., the stove is now under commercial production and will soon be available in the market.

Visit of Secretary-General of International Union of Railways

1387. SHRI RAJDEO SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Secretary General of the International Union of Railways has been on a tour of India recently to study the growth of Indian expertise in Railway technology;

(b) if so, whether he visited different manufacturing units—Chittaranjan, DLW Coach Factory and R.D. and Standard Organisations;

(c) whether his reaction and impressions have been noted down; and

(d) if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) He visited Diesel Locomotive Works, Varanasi, and Research Designs & Standards Organisation, Lucknow.

(c) and (d). During his visits to D.L.W. and Research Designs & Standards Organisation, he appraised himself of the technological developments of Indian Railways and observed that notable progress has been made in various fields.

Performance of Integral Coach Factory, Perambur

1388. SHRI RAJDEO SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Integral Coach Factory, Perambur has exceeded the target for coach shells and coach furnishing in the year 1975-76;

(b) if so, the total annual requirements of coaches of every gauge in the country and for export; and

(c) whether the performance of this coach unit will be all the more commanding if financial restraints or deficiency is removed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) About 1500 coaches for Indian Railways and for export as per orders.

(c) Yes.

Departmental catering on long distance trains

1389. SHRI S. R. DAMANI: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware of the fact that there is much dissatisfaction among travelling public about the departmental catering on long distance trains;

(b) what action is taken on complaints and suggestions recorded by passengers; and

(c) what are the reasons for not introducing uniformity in catering service on all the Railways and for all classes of passengers?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) While there are occasional complaints about Departmental Catering, the standard of catering services provided on the fast trains has improved considerably. With a view to supplying better quality of food on fast trains, Base kitchens have been set up on important routes to serve ready-to-serve meals. Under this system, food prepared under hygienic conditions is picked up in insulated trolleys and supplied to the pantry cars on trains where it is stored in hot cases and supplied hot to passengers on run. It is now the policy to extend this system progressively to other trains. Adoption of other modern culinary techniques and modernisation of equipment has resulted in improvement of catering services and has won the appreciation of passengers.

(b) All complaints and suggestions recorded by the passengers are scrutinised at the appropriate levels thoroughly investigated and wherever necessary, prompt remedial action is taken.

All the Complainants are also suitably advised.

(c) The catering services at stations and on trains are provided taking into consideration the varied tastes of passengers, demand for various types of food and edibles, the quantum of passenger traffic, the level of sales and other local conditions. Since these factors vary very widely from place to place, same size and type of catering cannot be provided uniformly everywhere. In spite of these factors, Railways have standarised the "Thali Meals" and "Ready-to-Serve Meals" and uniform rates are charged all over the country. But, for *a-la-carte* items, due to varied tastes, standardisation has not been possible, and rates also vary on account of difference in the cost of different ingredients prevailing in the different parts of the country. All classes of passengers can avail of the catering services provided by the Railways.

New locations for onshore drilling

1390. SHRI S. R. DAMANI: Will the Minister of PETROLEUM be pleased to state:

(a) the new locations where onshore drilling has been started already and will further be taken up in the current year as a result of the shift in emphasis for this type of oil exploration;

(b) whether any foreign collaborations are involved in these operation and, if so, the fact thereof; and

(c) what is the percentage of imported components of machinery and

equipment employed, with broad features of items thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) 1. The ONGC has already started drilling operations at the following new locations:--

(i) Sampra and Dharnoj in Gujarat.

(ii) Dimulgaon and Bihuber in Assam.

(iii) Bhuana in Rajasthan.

2. Drilling at the following new locations is expected to be taken up by ONGC during 1976-77 because of greater emphasis proposed to be laid on onshore operations:—

(i) Puranpur and Parewa in U.P.

(ii) Jawalamukhi, Ramshahr and Nurpur in Himachal Pradesh.

(iii) Galsi and Diamond Harbour in West Bengal.

(iv) Gojalia in Tripura.

(v) Changera, Khawad, West Mehsana, Mehsana Horst, Miyagaon and Kavitha in Gujarat

(vi) Chargola and Laxmijan in Assam.

(vii) Narsapur in Andhra Pradesh.

(b) No, Sir.

(c) Major part of the machinery and equipment used by the ONG Commission presently for oil exploration is imported. During 1975-76, 69 per cent of the equipment was imported. Broadly the items of import have been drilling rigs with accessories and spares, tubulars, handing tools and fishing tools, blow out preventors and christmas trees etc.

Facilities for study of Petroleum Engineering and Technology

1391. SHRI S. R. DAMANI: Will the Minister of PETROLEUM be pleased to state:

(a) whether in view of the increasing activity of oil exploration, Government propose to provide facilities for advanced studies in all branches of petroleum engineering and technology; and

(b) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). In addition to the existing facilities, the Oil and Natural Gas Commission and some of the Universities/Institutions are in the process of providing facilities for advanced studies in all branches of petroleum engineering and technology. For example, the Indian School of Mines, Dhanbad is raising the level of its course leading to Bachelor's Degree in petroleum sciences to post-graduate level. Similar steps are being taken by the Universities of Aligarh and Dibrugarh. Besides, the Oil and Natural Gas Commission has also taken the following steps:—

(i) Under the National Committee on Science and Technology (NCST) programme, ONGC is collaborating with a number of Universities/Institutions in conducting research and development projects.

(ii) An Institute of Reservoir Studies and another of Drilling Technology are being set up by the ONGC.

(iii) Apart from giving in-service training to its personnel, the ONGC is deputing its technical personnel to various International seminars, conferences etc. to keep

abreast with the latest development in the field of petroleum technology.

Self sufficiency in production of Fertilizers

1392. SHRI S. R. DAMANI: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) the details of programme of increasing capacity of fertilizers production in the country both on long-term and short-term basis for achieving self-sufficiency;

(b) the break-up for use of different raw materials and their availability within the country; and

(c) to what extent the country is self-reliant at present for setting up fertilizer production units till they reach the stage of commercial production?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) A large scale programme for augmentation of fertilizer capacity is under implementation in the public, private and co-operative sector. As part of this programme sixteen large projects are under implementation; four more projects have been approved in principle. Besides, measures like renovation, debottlenecking and modernisation etc. are also on hand to improve the production performance of the existing units.

With the implementation of the above programme, the capacity which presently stands at 29.73 lakh tonnes of nitrogen and 6.92 lakh tonnes of phosphate is expected to go upto 65 lakh tonnes of nitrogen and 17 lakh tonnes of phosphate. The increased production arising from substantial addition to capacity, as envisaged above, should help narrow appreciably the gap between demand and indigenous availability of fertiliers.

(b) A statement showing the break-up of the capacity based on different feedstocks and the break-up of capacity after completion of the projects under implementation is laid on the Table of the House. [*Placed in Library. See* No LT-11198/76]. It is the Government's policy to use diverse feedstocks and to maximise the utilisation of indigenous feedstock and reduce dependence on imports to the extent possible.

(c) Engineering companies in India like the Planning and Development Division of Fertilizer Corporation of India, FACT Engineering and Design Organisation and Engineers India Limited have developed technical know-how in respect of certain sections of a fertilizer plant including complete off site facilities. However, the know-how in respect of overall processes and basic design and engineering has still to be imported. Similarly although India is in a position to manufacture/fabricate a substantial part of the plant and equipment required in the fertilizer industry, some critical and proprietory items are also required to be imported. Foreign expertise is also availed of in respect of supervision of detailed engineering, assistance in procurement of imported equipment and supervisory assistance in erection and commissioning of fertilizer plants.

Drilling operations at Jwalamukhi

1393. PROF. NARAIN CHAND PARASHAR: Will the Minister of PETROLEUM be pleased to state:

(a) whether the Oil and Natural Gas Commission has resumed the drilling operations for the exploration of Gas/Petroleum at Jwalamukhi and Jwalamukhi Road in Kangra District of Himachal Pradesh;

(b) if so, the date on which the operations were started; and

(c) the names of all such places in that area where the operations have been started or likely to be started in the near future?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) No, Sir.

(b) Does not arise.

(c) It is proposed to start drilling operations at Jwalamukhi and Nurpur in Kangra District and at Ramshahar in Solan District in the near future.

Drug Production in public sector

1394. SHRI H. N. MUKHERJEE: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have taken steps to raise the domestic production of bulk drugs in public sectors as suggested by the Hathi Committee;

(b) if so, the facts thereof; and

(c) how far the prices of drugs have been revised to bring them down?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Yes, Sir.

(b) Keeping in view the recommendations of Hathi Committee and other factors, the two public sector undertakings, viz., Indian Drugs & Pharmaceuticals Limited and Hindustan Anti-biotics Limited have submitted certain proposals for expansion during the 5th Five Year Plan. The details of these proposals have been furnished in reply to part (a) of Lok Sabha Unstarred Question No. 137 answered on the 10th August, 1976.

(c) The prices of drugs are fixed under the Drugs (Prices Control) Order, 1970 which provides for a mechanism for revision of prices. During 1976 the prices of the following bulk drugs have been reduced.

Name	Old Price (Rs. kg.)	Present Price (Rs. kg.)
1. Narcotine*	410·00	244·02
2. Analgin**	175·02	155·30
3. Phenobarbitone**	276·11	172·81
4. Chaloramphenicol Palmitate	522·00	460·03
5. Indomethacin	816·68	671·72
6. Calcium Pantothenate	160·00	123·14
7. Vitamin B-6	665·00	550·82
8. Chloramphenicol Powder*	662·00	(i) 558·00@ (ii) 586·00@@

[* Indigenous production

** Pooled price

@ For captive use

@@ For sale]

Apart from this, prices of certain drug formulations have also been reduced during this period.

Writ petitions against Implementation of land Legislation in Karnataka High Court

1395. SHRI B. V. NAIK: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether a large number of writ petitions against the orders of the land tribunals in the implementation of land legislation are pending in the High Court of Karnataka at Bangalore; and

(b) if so, the number thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H R. GOKHALE): (a) and (b). 3322. Writ petitions against the orders of the land tribunals in the implementation of Land legislation are pending in the Karnataka High Court.

Implementation of Report of Railway Reservation Committee

1396. SHRI S. M. BANERJEE: Will the Minister of RAILWAYS be pleased to state:

(a) whether the recommendations of the Railway Reservation Committee have been implemented;

(b) if not, the reason for the same; and

(c) whether a copy of the Report will be laid on the Table of the House?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). A statement giving the information is attached

(c) Soon after submission of the Report by the Committee in October, 1973, copies thereof were placed in the Library of the Parlament.

Statement

The Committee on Reservations & Bookings (1972) submitted their First Report in October 1973 with the following recommendations:

(The time-limit for advance reservations should be one year for all classes of accommodation;

(ii) The working hours for all classes of reservation should be uniform and the reservation offices at all major stations should function on two-shift basis. for 16 hours a day; and

(iii) There should be no limit on the size of the waiting list, the waiting list should not lapse on the departure of the train and provision of Reservation booths for waitlisted passengers on all important stations should be strictly implemented.

Recommendation No. (i) above. This was accepted with modification and reservations were permitted on certain nominated trains without time-limit in advance on an experimental basis for a period of one year with effect from 15-4-1975. On the basis of the experience gained from this exptriment and also on the basis of the observations made and conclusions arrived at during the course of inspections of Reservation Offices, the time-limit for advance reservations has now been made six (6) months uniformly in all classes by all trains and at all stations.

Recommendations No. (ii) above. This recommendation was accepted for implementation at important stations viz. Calcutta, Bombay, Madras, Delhi, Bangalore City, Ahmedabad, Lucknow, Kanpur, Secunderabad and Pune. However, it has not been possible to fully implement this recommendation due to ban on creation of additional posts which are necessary to man the second shift working.

Recommendation No. (iii) The recommendation consists of three parts, viz.

(a) There should be no limit on the size of the waiting list;

(b) The waiting list should not lapse on the departure of the train, and

(c) Provision of Reservation booths for wait-listed passengers on all important stations should be strictly implemented.

The Recommendation(a) has been accepted as modified i.e. the limit of waiting-list in second and AC Chair Car has been increased to the extent of the number of passengers as could be accommodated in one passenger

bogie. Recommendation(b) could not be accepted on account of practical difficulties.

The Recommendation(c) above has been accepted. This has been implemented at most of the important stations and action is being taken to provide Reservation Booths progressively at remaining important stations.

2. The Committee on Reservations and Booking did not submit any Final Report. The Committee, however, submitted "An Approach to Final Report" in August 1975 and the same is under consideration.

Import and Export of Drugs

1397. SHRI R. N. BARMAN: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether India has started exporting vital drugs;

(b) if so, the contribution of the public sector undertakings in this matter; and

(c) to what extent the country is still dependent on foreign imports for bulk basic drugs and by what time the country will gain self-sufficiency?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Yes Sir. Some of the vital drugs are exported from India.

(b) Out of the total value of about Rs. 43 crores of drugs and medicinal preparations including medicinal castor oil, exported during 1974-75, the contribution of the public sector undertakings was about Rs. 2.6 lakhs.

(c) As against the indigenous production of bulk drugs worth Rs. 80—85 crores in 1974, the total imports of essential bulk drugs during 1974-75 were of Rs. 30.07 crores. During 1974-75, STC (now called CAPCO) imported bulk drugs worth Rs. 19.56 crores, while this has come down to Rs. 14.05 crores during 1975-76. All efforts are being made to step up indigenous production by increasing the output of existing products and also by taking up the manufacture of new items, to meet the increasing requirements of the country, in order to achieve self-sufficiency as far as practicable.

Loss due to Collapse of a Railway Bridge in Western Railway

1398. SHRI R. N. BARMAN:

DR. LAXMINARAYAN PANDEYA:

Will the Minister of RAILWAYS be pleased to state:

(a) whether the Western Railway has suffered loss of about Rs. 1 crore as a result of collapse of a railway bridge;

(b) whether any inquiry has been held to find out the causes for the wreck; and

(c) by what time alternate bridge will be constructed so that normal rail traffic may be resumed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes. The loss is more than a crore including the loss of traffic.

(b) Investigations reveal that there was abnormal rain in the river catchment on 29th to 31st July which led to unprecedented floods in the river with the water level rising more than 10 ft. above the previous maximum flood level and exerting tremendous pressure against the girders.

(c) Work on the construction of a temporary diversion including a temporary bridge across the river is in progress round the clock and the diversion is expected to be ready for traffic by about the middle of September, 1976.

Load Capacity on Delhi—Calcutta Electrified Route

1399. SHRI R. N. BARMAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether Delhi—Calcutta route has been electrified fully;

(b) if so, whether this will help to speed up the trains and also increase the load capacity; and

(c) if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes. The Calcutta-Delhi route via Grand Chord has been fully electrified between Howrah-Sealdah-New Delhi stations; the small portion between Sahibabad and Delhi Main is expected to be completed by the end of this year.

(b) Yes.

(c) The details of speeding up and augmentation of loads are under examination and action as found feasible will be taken in October, 1976 time table.

Pay Scales of Executives of Foreign Oil Companies

1400. SHRI SOMNATH CHATTERJEE: Will the Minister of PETROLEUM be pleased to state:

(a) the broad outlines of pay scales and remunerations of top executives of each foreign oil company in India before nationalisation;

(b) the pay scales and remunerations of the top executives of each foreign oil company not yet nationalised;

(c) whether Government have drawn up a scheme to change the existing pay scales; and

(d) if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). A broad outline of pay and allowances of officers of major foreign oil companies in India is given in the attached statement.

(c) and (d). Management Staff earning a salary of more than Rs. 4,000 in Hindustan Petroleum Corporation Ltd., have not been allowed any further increases beyond the pay drawn by them as on 1st August, 1974. In respect of other management staff, progression upto a maximum of Rs. 4,000 is being allowed in the scales of pay applicable to the erstwhile Lube India. In the case of Bharat Refineries Ltd., as an interim measure, the same principles as in the case of Hindustan Petroleum Corporation Limited have been brought into force with effect from 1st August, 1976 which the difference that those drawing less than Rs. 4,000 will progress towards this ceiling with increments of reduced quantum or at increased intervals. Further review of pay scales and perquisites in the erstwhile private oil companies will be made only after a study has been made of the problem in its entirety.

Statement

(i) Burmah-Shell (now Bharat Refineries Ltd.)

The pay scales of Management Staff in Burmah Shell immediately before the take-over by the Government ranged from Rs. 840 per month gross (minimum) to Rs. 7,200 per month (maximum). In addition, certain top executives who enjoyed a special status received higher salaries.

In addition to salaries, certain perquisites were allowed. Depending on eligibility, these included House Rent Allowance or furnished/unfurnished accommodation, re-imbursement of sweepers' wages, re-imbursement of expenses towards Garden Maintenance and engagement of Watchmen at

upcountry locations, company cars for senior executives, Medical benefits, Leave Travel Concession, free supply of gas and free electricity (subject to tax).

(ii) ESSO (Now Hindustan Petroleum Corporation Ltd.)

Pay scales for management staff in ESSO immediately before the take-over of the Company ranged from Rs. 950 per month gross (minimum) to Rs. 4,600 per month (maximum). In addition, certain top executives who enjoyed a special status, received higher salaries.

Besides, certain perquisites were allowed. Depending upon eligibility, these included House Rent Allowance or furnished/unfurnished accommodation, re-imbursement of servants' wages, company cars for senior executives, medical benefits, and Leave Travel Concession.

(iii) Assam Oil Company Limited:

The company has a single salary pay-scale for the executive staff, the emoluments ranged from Rs 750 per month (minimum) to Rs. 5,975 per month.

In addition to salaries, Executive staff are entitled to certain perquisites, such as free unfurnished accommodation or house allowance as per the Company's rules, use of company vehicles or actual mileage for use of own cars, Leave Travel Concession, part re-imbursement for the maintenance/up-keep of the company accommodation provided to them.

(iv) Caltex (India) Limited:

Salaries of five top level executives range from Rs 2600 to Rs. 8100 per month.

Besides the salaries, the top executives enjoy company leased accommodation, re-imbursement of certain utility expenses, soft furnishings and chauffeur's wages, Leave Fare Assistance, use of company owned cars, Company Medical Scheme, provident fund and gratuity or pension benefits.

Recommendations and Implementation of Hathi Committee's Report

1401. SHRI SOMNATH CHATTERJEE: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) which of the recommendations of the Hathi Committee have been considered/accepted by the Government up-to-date;

(b) which of the accepted recommendations have been implemented so far;

(c) the reasons why so much time is being taken to take final decisions on the Committee's recommendations; and

(d) the reasons why some of the Committee's recommendations have not been accepted by the Government?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) to (d). The recommendations of the Committee on Drugs & Pharmaceuticals Industry (Hathi Committee) are in an advanced stage of examination/consideration and a decision is likely to be taken shortly. The recommendations of the Committee, which number 226, are varied and of complex nature covering the operations of the entire drugs industry in the country. The recommendations have to be examined in detail with all their administrative and financial implications in consultation with the various Ministries and Departments of the Government of India.

Though the recommendations of the Committee, as a whole, have been under consideration, Government have already accepted and are

implementing some of the recommendations made by it. These are indicated below:

(i) Assigning a leadership role to the public sector;

(ii) Encouragement to the Indian sector;

(iii) Supply of bulk drugs to the non-associated formulators. Foreign firms are, as a role, issued approvals for bulk drugs only on condition that 50 per cent of the bulk should be supplied to non-associated formulators as against 30 per cent for Indian firms and 40 per cent for Public sector;

(iv) Indian firms are being allowed new capacities of formulations provided their ratio of bulk drug to formulations is 1 : 10. In the case of foreign firms, new capacity of formulation is being allowed only when it is linked with the production of concerned bulk drugs.

(v) As recommended by the Committee, the restriction earlier imposed on the industry requiring them to link their formulations licence applications with bulk production where their turnover exceeded Rs. 2 crores per annum has been removed.

Production of Chemical and Fertilizers

1402. SHRI SOMNATH CHATTERJEE: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) target and actual production of each variety of chemical fertilizers, year-wise from 1973-74 to 1975-76;

(b) actual import of each variety, year-wise from 1973-74 to 1975-76;

(c) whether the Fifth Plan target of production has been substantially reduced; and

(d) if so, the reasons thereof?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Target and actual production of nitrogenous and phosphatic fertilizers are given below:—

('000 tonnes)

Year	Nitrogen		Phosphate	
	Target	Production	Target	Production
1973-74	1160	1060	350	323
1974-75	1500	1185	365	327
1975-76	1500	1535	333	320

There is no indigenous production of potassic fertilizers.

(b) Imports of nitrogenous, phosphatic and potassic fertilizers are as under:—

('000 tonnes)

Year	Nitrogen	Phosphate	Potash
1973-74	659	213	370
1974-75	884	281	437
1975-76	950	337	367

(c) and (d). The capacity build-up by 1978-79 is likely to be 46.9 lakh tonnes of nitrogen and 13.11 lakh tonnes of P205 as against the build up of 60 lakh tonnes of nitrogen and 17 lakh tonnes of P205 originally envisaged in the Draft Fifth Five Year Plan Document. This is due mainly to the fact that some of the projects had to be either held back or slowed down due to the resources constraint.

Completion of Calcutta Tube Railway Project

1403. SHRI SOMNATH CHATTERJEE: Will the Minister of RAILWAYS be pleased to state:

(a) the progress made so far on the Calcutta Tube Railway Project, in financial and physical terms; and

(b) when the project is expected to be completed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The actual construction work, which started in the latter half of 1973 is in progress and the overall financial and physical progress in terms of percentage, upto July, 1976 is approximately 7 per cent and 10 per cent respectively.

(b) The original schedule for commissioning by 1979 has had to be revised due to the resources constraint. It is not possible to make any forecast for completion until a clear picture is available regarding the resources position in the Sixth Plan.

Use of Descaling Chemical in Fertilizer Plants

1404. SHRI SUBODH HANSDA: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the Production Directorate of Fertilizer Corporation have asked all fertilizer plants to use good quality descaling chemical as is used in Namrup and Haldia plants;

(b) whether such advice to try Clenzol was ignored and several plants are suffering from scales in condenser tubes and boilers worsened by use of substandard descaling chemicals; and

(c) the quantity, brand and amount paid by various FCI units on purchase of descaling chemicals for the two-year period ending 30th June, 1976?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Although the Fertilizer Corporation of India have advised all their plants to use good quality descaling chemical, no specific direction has been given to use the material that is used in the Namrup plant. The Haldia plant is under construction and the use of descaling chemical at this stage does not arise.

(b) No, Sir. The problems of scale formation in condenser tubes and boilers are monitored and controlled in the best possible manner .

(c) The information is being collected and will be laid on the Table of the House.

Dalli-Rajahra-Kondagaon-Jagdalpur Broad Gauge Line

1405. SHRI NITIRAJ SINGH CHAUDHARY: Will the Minister of RAILWAYS be pleased to state:

(a) whether it has been decided to relax the economic viability requirement regarding laying of Railway lines in backward and tribal areas;

(b) whether Dalli-Rajahra-Kondagaon-Jagdalpur broad gauge line has been included in this relaxation; and

(c) what other lines in the said areas of Madhya Pradesh are being included?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Railway development is not envisaged on State-wise or Region-wise concepts but on over all considerations in the National interests. The Minister of Railways had advoctaed in his Budget Speech for 1973-74 the need for a conceptual change in the application of orthodox financial criteria for the construction of new lines in under-developed areas. This Ministry is currently engaged in formulation of a comprehensive policy for the construction of new lines in backward areas. The policy will have to be cleared by the Planning Commission and the Ministry of Finance.

(b) A final Location Engineering cum-traffic Survey has been carried out for the line but a decision on its construction has not yet been taken on account of the limitation of resources.

(c) The following new rail links falling partly/wholly in the backward tribal areas of the state of Madhya Pradesh, are under construction/survey:—

S. No.	Name of the line	Present position
1	Guna-Maksi B.G. (line 193·53 kms.; Cost Rs. 10·51 crores)	The line has been opened for goods traffic Passenger trains are expected to be introduced by 30-11-1976.
2	Hirdagarh-Damua B.G. link (14·30 kms; Cost Rs. 2·25 crores)	Work has been approved but construction has not yet started.
3	Dhalli Rajhara-Jagdalpur BG line. (234 kms.; Cost Rs. 46 crores)	Final Location Surveys have been completed and the reports are under examination.
4	Ratlam-Banswada B.G. link (90 kms.)	Survey in progress.
5	Ranchi-Korba B.G. line (300 kms.)	Surveys have been completed and the reports are under examination.
6	Mahoba-Khajuraho B.G. line (75 kms.)	Do.

Eviction of Illegal Encroachers of land

1406. SHRI ROBIN KAKOTI: Will the Minister of RAILWAYS be pleased to state:

(a) total hectares of land in possession of illegal encroachers Greater Gauhati area; Bongalgaon and New Bongaigaon area, Maligaon, Pandu and Amingaon area, Mariani Junction area, Tinsukia Junction area, Lumding junction area and Dibrugarh town area; and

(b) total hectares of land from which encroachers in each of these areas were evicted upto the end of June, 1976?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Total hectares of Railway land in possession of encroaches and those got vacated upto June, 1976 from the following areas are indicated below:

	Name of the areas	Total hectares of land encroached	Total hectares of land got vacated by June, 1976.
1	Greater Gauhati area	4·01	2·59
2	Bongaigaon & New Bongaigaon area.	1·86	1·00
3	Maligaon, Pandu & Amingaon area.	5·86	2·19
4	Mariani Jn. area	0·60	0·05
5	Tinsukia Jn. area	0·70	0·21
6	Lumding Jn. area	50·00	16·56
7	Dibrugarh Town area	1·11	0·19

Overbridges at Kuttipuram and Calicut

1407. SHRI C. H. MOHAMED KOYA: Will the Minister of RAILWAYS be pleased to state:

(a) whether Kerala Government has agreed to meet their portion of the expenditure in the construction of the Kuttipuram overbridge and one more overbridge at Calicut; and

(b) if, so, the action taken by the Central Government in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) As per extant rules the cost of Road overbridges in replacement of level crossings (provided originally at Railway's cost) is broadly shared between Railways and the road authorities in the ratio 50 : 50 --latter also paying for the cost of land acquisition in addition. The State Government of Kerala have sponsored proposals for the construction of two road overbridges—(i) at Kuttipuram on National Highway No. 17 lieu of the existing level crossing No. 168 at km 608/7-8 and (ii) between Calicut and Vellayil stations in replacement of the existing level crossing No. 184 at km 665/13-14. The proportionate cost of construction of road overbridge across the National Highway will have to be borne by the Ministry of Shipping and Transport.

The proposals having been sponsored by the State Government, it is presumed, that they will accept their share of the cost and in the case of the road overbridge on the National Highway, they would have also to obtain necessary clearance from the Ministry of Shipping and Transport.

(b) (i) *Road overbridge at Kuttipuram*: State Government have yet to finalise the location and detailed proposals for the road overbridge and the Southern Railway have requested them to expedite the same. As the road overbridge would be across a National Highway, the State Government have approached the Union Ministry of Transport for according approval to the scheme prepared by them. Southern Railway would be able to progress the proposal further only after the plans are finalised by the State Government with the approval of the Ministry of Transport.

(ii) *Road overbridge between Calicut and Vellayil*—Railway has already made provision of funds in the Budget for this work in 1976-77. However, plans and firm proposals for the overbridge are yet to be received from the State Government who have advised that the matter is under their examination. After receipt of the firm proposal/final plans from the State Government, the Railway will take up the work concurrently with the State Government who will have to construct the approaches.

Dieselisation of Mahalaxmi Express and Maharashtra Express

1408. SHRI ANNASAHEB GOTKHINDE: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are considering proposals for diselisation of Mahalaxmi Express and Maharashtra Express trains on the South Central Railway; and

(b) if so, the probable date/dates when the said trains would be dieselized?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) Does not arise.

'जैसे चाहो. यात्रा करो' (ट्रेवल एज यू लाइक) योजना से हुई आय

1409. श्री मोहन स्वरूप : क्या रेल मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या सितम्बर, 1975 में पर्यटकों के लाभ हेतु "जैसे चाहो, यात्रा करो" की कोई योजना चलाई गई थी ;

(ख) यदि हां, तो कितनी अवधि तक टिकट वैध रहे ;

(ग) उस पर पर्यटकों की क्या प्रतिक्रिया रही ; और

(घ) उक्त योजना के अन्तर्गत सितम्बर, 1975 से आज तक कितनी आय हुई ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह) : (क) जी हां।

(ख) पहली यात्रा आरम्भ करने की तारीख से 21 दिन तक।

(ग) विदेशी पर्यटकों ने इस सुविधा का स्वागत किया है।

(घ) सितम्बर, 1975 से अब तक, इन टिकटों की बिक्री से लगभग 32,181 अमरीकी डालर और 890 पौंड की आय हुई है।

12 hrs.

PAPERS LAID ON THE TABLE

MERCHANT SHIPPING (WRECKS AND SALVAGE) AMENDMENT RULES, 1976 AND ANNUAL ACCOUNTS OF KANDLA PORT TRUST FOR 1974-75 WITH AUDIT REPORT.

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): On behalf of Shri H. M. Trivedi, I beg to lay on the Table—

(1) A copy of the Merchant Shipping (Wrecks and Salvage) Amendment Rules, 1976 (Hindi and English versions) published in Notification No. G.S.R. 1138 in Gazette of India dated the 31st July, 1976, under sub-section (3) of section 458 of the Merchant Shipping Act, 1958. [*Placed in Library. See* No. LT-11186/76.]

(2) A copy of the Annual Accounts (Hindi and English versions) of the Kandla Port Trust for the year 1974-75 and the Audit Report thereon, under sub-section (2) of section 103 of the Major Port Trusts Act, 1963. [*Placed in Library. See* No. LT-11187/76.]

ANNUAL REPORT AND REVIEW OF OIL INDUSTRY DEVELOPMENT BOARD NEW DELHI FOR 1974-75 WITH AUDIT REPORT AND STATEMENT FOR DELAY.

SHRI ZIAUR RAHMAN ANSARI: I beg to lay on the Table—

(1) (i) A copy of the Annual Report together with the Audited Accounts (Hindi and English versions) of the Oil Industry Development Board, New Delhi, for the year 1974-75, under sub-section (4) of section 20 of the Oil Industry Development Act, 1974 read with rule 29(2) (e) of the Oil Industry Development Rules, 1975.

(ii) A copy of the Review (Hindi and English version) by the Government on the above Report.

(2) A statement (Hindi and English versions) showing reasons for delay in laying the documents mentioned at (1) above. [*Placed in Library. See* No. LT-11188/76.]

MONOPOLIES AND RESTRICTIVE TRADE PRACTICES (AMENDMENT) RULES, 1976

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): I beg to lay on the table a copy of the Monopolies and Restrictive Trade Practices (Amendment) Rules, 1976 (Hindi and English versions) published in Notification No. G.S.R. 1181 in Gazette of India dated the 7th August, 1976, under sub-section (3) of section 67 of the Monopolies and Restrictive Trade Practices Act, 1969. [*Placed in Library. See* No. LT-11189/76.]

12.02 hrs.

MESSAGES FROM RAJYA SABHA

SECRETARY-GENERAL: Sir, I have to report the following messages received from the Secretary-General of Rajya Sabha:—

(i) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 23rd August, 1976, agreed without any amendment to the Representation of the People (Amendment) Bill, 1976, which was passed by the Lok Sabha at its sitting held on the 16th August, 1976."

(ii) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 23rd August, 1976, agreed without any amendment to the Code of Civil Procedure (Amendment) Bill, 1976, which was passed by the Lok Sabha at its sitting held on the 12th August, 1976."

12.03 hrs.

METAL CORPORATION (NATIONALISATION AND MISCELLANEOUS PROVISIONS) BILL*

THE MINISTER OF STEEL AND MINES (SHRI CHANDRAJIT YADAV): I beg to move for leave to introduce a Bill to provide for the taking over of the management of the undertaking of the Metal Corporation, after such undertaking is deemed to have been transferred to, and re-vested in, the said Corporation, and for the subsequent acquisition of the undertaking of the Metal Corporation for the purpose of enabling the Central Government, in the public interest, to exploit to the fullest extent possible, the zinc and lead deposits in and around Zawar area in the State of Rajasthan and to utilise those minerals in such manner as to subserve the common good, and for matters connected therewith or incidental thereto.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for the taking of the management of the undertaking of the Metal Corporation, after such undertaking is deemed to have been transferred to, and re-vested in, the said Corporation, and for the subsequent acquisition of the undertaking of the Metal Corporation for the purpose of enabling the Central Government, in the public interest, to exploit to the fullest extent possible, the zinc and lead deposits in and around Zawar area in the State of Rajasthan and to utilise those minerals in such manner as to subserve the common good, and for matters connected therewith or incidental thereo."

The motion was adopted.

SHRI CHANDRAJIT YADAV: I introduce† the Bill.

STATEMENT RE: METAL CORPORATION (NATIONALISATION AND MISCELLANEOUS PROVISIONS) ORDINANCE, 1976

THE MINISTER OF STEEL AND MINES (SHRI CHANDRAJIT YADAV): I beg to lay on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Metal Corporation (Nationalisation and Miscellaneous Provisions) Ordinance, 1976.

12.05 hrs.

DHOTIES (ADDITIONAL EXCISE DUTY) REPEAL BILL*

THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA): I beg to move for leave to introduce a Bill to repeal the Dhoties (Additional Excise Duty) Act, 1953.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill to repeal the Dhoties (Additional Excise Duty) Act, 1953."

The motion was adopted.

PROF. D. P. CHATTOPADHYAYA: I introduce† the Bill.

COMPANIES (AMENDMENT) BILL*

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): I beg to move for leave to introduce a Bill further to amend the Companies Act, 1956.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Companies Act, 1956."

The motion was adopted.

SHRI H. R. GOKHALE: I introduce the Bill.

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*Published in Gazette of India Extraordinary, Part II, section 2, dated 24-8-76.

†Introduced with the recommendation of the President.

ADVOCATES (AMENDMENT) BILL*

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): I beg to move for leave to introduce a Bill further to amend the Advocates Act, 1961.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Advocates Act, 1961."

The motion was adopted.

SHRI H. R. GOKHALE: I introduce the Bill.

LAXMIRATTAN AND ATHERTON WEST COTTON MILLS (TAKING OVER OF MANAGEMENT) BILL*

THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA): I beg to move for leave to introduce a Bill to provide for the taking over, in the public interest, of the management of the undertakings of certain companies, pending nationalisation of such undertakings, with a view to ensuring the supply of certain varieties of cloth needed by the weaker sections of the community as also by the Defence Department and for matters connected therewith or incidental thereto

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for the taking over, in the public interest, of the management of the undertakings of certain companies, pending nationalisation of such undertakings, with a view to ensuring the supply of certain varieties of cloth needed by the weaker sections of the community as also by the Defence Department and for matters connected therewith or incidental thereto."

The motion was adopted.

PROF. D. P. CHATTOPADHYAYA: I introduce† the Bill:

STATEMENT RE: LAXIMIRATTAN ATHERTON WEST COTTON (TAKING OVER OF MANAGEMENT) ORDINANCE, 1976

THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA): I lay on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Laxmirattan and Atherton West Cotton Mills (Taking Over of Management) Ordinance, 1976.

12.08 hrs.

BURN COMPANY AND INDIAN STANDARD WAGON COMPANY (NATIONALISATION) BILL AND BRAITHWAITE AND COMPANY (INDIA) LIMITED (ACQUISITION AND TRANSFER OF UNDERTAKINGS) BILL—*contd.*

MR. SPEAKER: The House will now take up further consideration of the following motions moved by Shri B. P. Maurya on the 23rd August, 1976, namely:—

"That the Bill to provide for the acquisition of the undertakings of the Burn and Company Limited and the Indian Standard Wagon Company Limited with a view to ensuring the continuity of the production of goods which are vital to the needs of the economy of the country and for the fulfilment of the contracts for the supply of railway wagons abroad and for matters connected therewith or incidental thereto, be taken into consideration."

"That the Bill to provide for the acquisition and transfer of the undertakings of Messrs. Braithwaite and Company (India) Limited for the purpose of ensuring the continuity of production of goods which are vital to the needs of the country, and for matters connected

*Published in Gazette of India Extraordinary, Part II, section 2, dated 24-8-76.

†Introduced with the recommendation of the President.

therewith or incidental thereto, be taken into consideration."

Shri Dinen Bhattacharyya, you have already taken 35 minutes. I hope you will conclude soon.

SHRI DINEN BHATTACHARYYA (Serampore): I shall finish soon.

I have very little to add to what I stated yesterday. I hope the Minister will clarify the position in regard to the big amounts that have been set apart and assure us that no money will be given to the previous owners before the take over and for the take over period also. You are giving some money during the take over period. They functioned as Secretaries and not as Managing Agents. I do not think it will be proper to give that amount. I have my objection to that sort of amount being given to the owners who have squandered away the company assets for such a long time.

I was referring to certain industrial relation matters which I do not want to elaborate now and I hope that the Minister will take interest in it and he will take proper care to see that the industrial relations which deteriorated to a great extent in Braithwaite may not deteriorate further in view of the nationalisation of the plant. I have not found anything in the Bill regarding the R&C Unit of ESSCO which is a very important plan which supplies 90 per cent of its products to IISCO itself. Nothing is stated in the Bill about that. That should be looked into by the Minister. If it is a fact that it has not been nationalised along with the units of Burn and Co. in Howrah and ISW then, I would plead with the hon. Minister to take necessary steps to include it in the Bill saying that the R&C of Raniganj and Re-roll of Burn will be included. The nationalisation ordinance provides about Burn and ISW. Nothing is stated about Re-roll of Burn. Burn & Co. holds the major share.

Therefore I would request the Minister to include this in the Bill itself.

You have stated that you have no responsibility for the dues of employees during pre-take over period. If the worker has any claims he will have to prefer his claims with the company which is no longer existing. To whom will these workers go if their PF dues are not paid? To whom will they go if their wages are not paid? I know, at least in the case of Burn & Co., huge amounts were misappropriated. Their contributions were not duly deposited with Provident Fund Commissioner. You should make a provision saying that genuine dues of employees in pre-take over period also will be duly taken care of by the nationalised management.

Cases are pending in tribunals and courts of law regarding industrial disputes. What will be the fate of those cases? This is regarding tribunal award concerning industrial disputes of particular worker or group of workers of ISW, Burn & Co. and Braithwaite. This problem may kindly be taken care of. Scope should be given to the employees so that they will not suffer unnecessarily after the nationalisation which has been welcomed by all the employees irrespective of affiliation to trade unions or political parties.

Lastly I wish to draw his attention to the point regarding contract labourers. I know that in ISW and in Braithwaite company, for permanent types of jobs contract labourers are being employed. I don't know for what reason this is being resorted to. But this is going on there. These poor workers are doing the same job like the permanent employees.

But, still, they are to work under a contractor. So, I would request that this sort of exploitation of the workers through the contractors for doing job of a regular nature must be stopped and the other things which I have stated already should be properly taken care of.

I would tell the hon. Minister again that the industrial relation is not at all good either in the Braithwaite or

[Shri Dinen Bhattacharyya]

in Burn & Co. That aspect will have to be looked into and mere pious wish and formation of an apex body will not serve the purpose at all. At the plant level, here on the floor of the House, I can claim that the CITU has got majority of the workers behind them: in Braithwaite and the Angus unit, the management calls everybody. Why is the same thing not done in the Clive Unit of Braithwaite? It has not been tested at all though actually it has the majority there.

I would request that at least in the plant level you should not bring in your politics. At the State level, I have seen that only the AITUC and INTUC go but the CITU is excluded. They are not even consulted. If this is the practice, I do not think, that, in the near future, you can improve the industrial relations there. So, my request to the Minister is this—he is of course a very enthusiastic person and he has already looked into the matter that he will take a serious note of this thing and do justice to both the employees as also the industry itself by doing something in actual practice regarding certain matters—not mere pious wish which I had repeatedly stated in the House and to the Minister himself personally.

श्री राम सिंह भाई (इन्दौर) : अध्यक्ष महोदय, मैं इन दोनों बिलों का समर्थन करता हूं । वास्तव में इस समय जो कुप्रबंध के कारण ऐसे कारखाने चल रहे हैं, उत्पादन और उत्पादन की दृष्टि से उन का राष्ट्रीयकरण करने के अलावा दूसरा कोई चारा नहीं है । जब इन कारखानों को टेक-ओवर किया जा रहा था और यहां पर बिल आया था, उस समय मैंने निवेदन किया था कि आप इन को टेक ओवर के बजाय राष्ट्रीयकरण क्यों नहीं करते हैं, क्योंकि मैंने यह देखा है कि 1955 से आप ने जिन कारखानों को टेक-ओवर किया, आप उन को सुधार नहीं सके । टेक-ओवर राष्ट्रीयकरण—इन दोनों के बीच एक ऐसा पीरियड होता है कि उस में जो रकम लगाई जाती है उस का पूरा फायदा नहीं मिलता है । अब राष्ट्रीयकरण करने के बाद आप उस फायदे को हासिल कर लेंगे—इस में कोई शक नहीं है । लेकिन, श्रीमन्, मुझे एक बात का दुख हो रहा है, खास तौर से जब कि मौर्य जी इस बिल को लाये हैं ; जो श्रमिकों के हितों के समर्थक हैं । इस में कुछ ऐसी धाराएं रखी गई हैं जो मजदूरों के हित में नहीं हैं, लेकिन उन को उन धाराओं का समर्थन करना पड़ रहा है । मुझे इस बात से बड़ी वेदना हो रही है कि एक तरफ आप बीस सूत्री कार्यक्रम के अन्तर्गत मुक्ति पर्व मना रहे हैं । आप गरीबों का उत्थान करना चाहते हैं । जिन के बाप दादाओं ने कर्ज लिए उन्हें आप माफ करवा रहे हैं, जिन के बर्तन भांडे न मालूम कब से गिरवी रखे हुए थे, उन्हें आप वापिस दिलवा रहे हैं, जिन के पास मकान नहीं हैं उन्हें आप मकानों के लिए जमीन दे रहे हैं, लोन दे रहे हैं । लेकिन यहां आप धारा 5 में कहते हैं कि जिन श्रमिकों की मजदूरी की रकम बाकी होगी और टेक ओवर करने के पहले की रकम बनिये खा कर बैठ गए हैं अभी वह मजदूरी की रकम भी श्रमिकों को नहीं मिलेगी । यह ठीक नहीं है । जिन कारखाने के सारे एसेट्स आप ले रहे हैं और उन्हें करोड़ों रुपये का मुआवजा आप दे रहे हैं उस कारखाने के गरीब मजदूरों की मजदूरी आप न दें तो यह ठीक नहीं है । उन्होंने मेहनत की है, खून पसीना बहाया है और तब जा कर मजदूरी पाने की उम्मीद की थी लेकिन उससे भी आप इन्कार करते हैं । आप कहते हैं कि उसकी जवाबदारी गवर्नमेंट की नहीं है । मैं समझता हूं कि सब से पहला काम जो आपको करना चाहिये और आपको चाहिये कि आप इस जवाबदारी से इन्कार न करें वह यह है कि आप इस धारा को इसके अन्दर से निकाल दें और आपको यह कहना चाहिये कि टेक ओवर करने के पहले की जो रकम है वेतन और मजदूरी की वह उनको दी जाएगी । दिन भर मेहनत करके उन्होंने

यह कमाई की थी । अब उनको आप यह पैसा न दे तो मैं कहूंगा कि यह बेगार प्रथा हुई और बेगार प्रथा ही नहीं बल्कि भयंकर बेगार प्रथा—हुई । मेरा निवेदन है कि आप इस पर विचार करें।

दूसरी वेदना की एक और बात है । प्राविडेंड फंड की रकम, भविष्य निधि की रकम, अनिवार्य जमा की रकम, कल्याण निधि की रकम जो वेतन में से काटी गई थी और जिस को मालिकों ने भी जमा नहीं कराया और आपने भी टेक ओवर करने के बाद का जो पीरियड है—उस पीरियड की रकम को जमा नहीं करवाया वह भी उनको मिलनी चाहिये। अनिवार्य जमा योजना के अन्तर्गत भी जिस रकम को काट लिया गया था और जिस को जमा नहीं करवाया गया उसके बारे में भी आपने धारा 13 में यह रख दिया है कि राष्ट्रीयकरण के पहले जो रकम काट ली गई थी और राष्ट्रीयकरण करने पर जो खाते में जमा है उसकी ही जवाबदारी आपकी है । मालिकों ने जो रकम काटी और जिस को उन्होंने जमा ही नहीं किया और टेक ओवर आपने किया और टेक ओवर करने के बाद भी आपने जमा नहीं किया, अनिवार्य बचत की रकम जमा नहीं कराई अब उसके बारे में आप कहते हैं कि राष्ट्रीयकरण करने के बाद जो जमा होगी उसी की आपकी जवाबदारी होगी या उसकी आपकी जवाबदारी होगी जो जमा हो गई होगी । अब जो रकम काट तो ली गई लेकिन जो जमा नहीं हुई वह जमा कहां से होगी । उसको भी आप देने से इन्कार करते हैं । इन लोगों ने मेहनत की है, लोहे साथ लड़े हैं, हथौड़ों से लड़े हैं, भट्टियों के सामने खड़े हुए हैं अपनी जानें दी हैं फिर भी आप उनकी रकम को रोक रहे हैं । इस आपत्-कालीन स्थिति में मजदूरों के साथ जो बरताव धनियों ने किया है और जो नाजायज फायदा उसका शोषण करके उन्होंने उठाया है इस बिल में लूपहोल रख करके एक तरह से आप उस शोषण को अपना समर्थन प्रदान कर रहे हैं । यह मजदूरों की वेदना है, इसको आप सुनें, इसके ऊपर आप विचार करें——

उद्योग मंत्रालय में राज्य मंत्री (श्री बी० पी० मौर्य) : मैं नोट कर रहा हूं ।

श्री राम सिंह भाई : जब आपने 103 कपड़ा मिलों का राष्ट्रीयकरण किया था उस समय की 18 करोड़ की रकम का आज भी निपटारा नहीं हुआ है । बहुत से मजदूर जिन की रकम निकलती थी इस बीच मर गए हैं, कुछ काम छोड़ गए हैं, उनकी विधवायें रो रही हैं, उन्हें रकम मिल नहीं रही है । आपका कमिशन भी मुकर्रर नहीं हुआ है । यह हालत हो रही है । इस आपत्काल में देहात में आप देखें तो इंदिरा गांधी और कांग्रेस की जय बोली जा रही है लेकिन कारखाने के मजदूरों में मायूसी छाई हुई है । उन्होंने 8.33 बोनस खोया । इस में कोई शक नहीं है इस तरह के कारखाने में काम करने वालों को चार प्रतिशत भी मिलने वाला नहीं है । मजदूरों को पहले के मालिकों ने जो प्राविडेंड फंड की रकम जमा नहीं कराई और टेक ओवर के बाद भी जो जमा नहीं हुई वह उनको मिलनी चाहिये । आप 25 करोड़ और 16 करोड़ दे रहे हैं । उस मुआवजे में से इसको आप निकालें । बैंकों को बाद में दें । उनका दिवाला नहीं निकलने वाला है । बैंक भारी ब्याज ले रहे हैं । करोड़ो रुपया उनके पास है । आप कहते हैं उनको चुकाएंगे । यह ठीक नहीं है । मजदूर तो पहले ही नंगे हैं । अब आप उनकी लंगोटी क्यों उतारते हैं । मेरा निवेदन है इस पर आप विचार करें । वैसे मैं इन बिलों का समर्थन करता हूं ।

SHRI INDRAJIT GUPTA (Alipore): Sir, I welcome these two Bills. It has become the practice of the government, I do not know why, that before the nationalisation of something they seem to insist on a period of take-over of management

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and sometimes at the time of take over of management they make an announcement that this is an intermediate stage and it will lead to nationalisation; in other cases they do not say that but inevitable, as Shri Ramsingh Bhai has pointed, there is no alternative left except to completely nationalise those undertakings. I do not know why the government has decided on this kind of faltering and painful course; ultimately they will have to nationalise; there is no other go. As my colleague just now pointed out, it is not possible for the private sector to run these big concerns. That leads them to take over the management and there could be no doubt after that the government will have to assume total responsibility sooner or later. Burn, ISW and Braithwaite are welknown concerns and are among the oldest engineering concerns in this country and I think a very good and solid production base exists in those plants. There is no doubt that over the years even under private ownership the names of those companies—Burn. Braithwaite, ISW, Jessops, etc. but we are not dealing with Jessops at the moment—had a big reputation not only in this country but in other countries also; they were considered to be the hallmark of quality in heavy engineering works, in structurals, in wagon building and so on. Those names have become bywords in our engineering industry as being the hallmark of quality. It is really a sad state of affairs that such a decline should have set in in the performance and financial condition of those units. I would not mind if the government from other considerations took over well-managed and healthy units also we are now entrusted with the job of taking over units whenever something goes wrong with them. I should have liked the minister to tell us: what were the real reasons in the view of the government which brought about this decline in the fortunes of those particular companies? Was it mismanagement only? There was mismanagement, no doubt about it, particularly in the case of Burn-ISW which were under the managing agency umbrella of Martin Burn company who have become notorious now in regard to their performance in Chas Nala Indian Iron and Steel Company and so on. The same managing agency group was responsible for certain lack of foresight, I should say, and mismanagement and dissipation of financial resources and so on which led to this state of affairs. I do not know if a similar thing had happened in the case of Braithwaite. I do not think mismanagement was there to the extent that it was in Burns. In both the concerns, three concerns in fact, is it or is it not a fact that one of the basic causes of the decline which set in over a certain period of years was the fact that those units had grown up in West Bengal over the years with a certain orientation of their production and that orientation is that by and large they were dependent for their existence and prosperity or otherwise on the railways. They were making other things also, it is true, they make cranes, bridges and that kind of heavy structural things. But we know very well that these concerns were geared over the years from the days of the British regime, to the orders which were placed by the Indian Railways with them to an extent where if there is a substantial decline in railway orders, their whole production pattern gets completely thrown out of gear, because the old management never looked far ahead, never anticipated that one day if railway orders decline for any particular reason, what will they fall back upon? There was no foresight and planning ahead. No serious attempt at diversification was done so that they could reduce their dangerous dependence only on railway orders. We know very well that during the last few years, there has been a decline in the orders for railway wagons, rolling stock, etc. and it affected these units very badly. Belated attempts were then made to get orders from other places and so on, but the whole management structure, the production

pattern, the product mix was such that in order to adjust themselves to the new state of affairs, I should have thought, it was necessary long ago for the government to intervene in this matter very energitically and not leave it to the private ownership and management. Anyway, better late than never.

Now that the government is going to take over the responsibility—all of us, I think, will welcome this—I hope very much that the whole planning of production here and the re-structuring of their entire production resources and capacities, will be thought out in a new way. We have discussed this question earlier also some time, namely, why there should be so many wagon-building units dispersed all over the place. There is a lot of wastage as a result of this. These are units which are more or less engaged in similar type of production. They have the same type of equipment and plant. They are geared to the output of a particular type of heavy engineering and structural products. Therefore, now that they are all coming under the government's umbrella, I hope they will work out an integrated and modernised sort of plan, so that the resources are put to the best possible use and proper diversification of production is also done. If properly managed and run, the government can also provide very much from the capacity of these concerns for export. We know that the export of this type of thing is picking up very much, particularly in developing countries who have not got this type of industry of their own. We have got very good relations with those countries. Recently the Colombo Conference Economic Declaration has emphasised the question of more co-operation and mutual assistance between these countries. Therefore, these are the types of basic engineering concerns which can be developed, overhauled, modernised and reorganised in such a way that they can meet successfully the requirements not only of our country but also of these friendly countries.

I have a few points to make about some of the provisions of this Bill. Shri Ramsingh Bhai spoke just now about certain provisions regarding the liabilities which have been taken over. I support every word he has said. First of all, I do not understand why in these two Bills, there is a difference, a discrepancy, in the order of priorities for the discharge of liabilities of the companies, which are laid out in the schedules of both the Bills. In one case—Braithwaite—You will find in the order of priorities in the post-take-over management period, the first category which is given top priority is wages, salaries and other dues of the employees of the company—Category I. Then follow the categories II, III and IV. But in the other Bill dealing with Burn and ISW, you will find that the first category is Loans advanced by banks, Loans advanced by the IRCI, Credit availed of for purposes of trade or manufacturing operations. Category II is Revenue, taxes, cesses, rates or other dues of Central Government or a State Government, Sales Tax; In Part "B" in the pre take-over management period. arrears in relation to provident fund, salaries and wages and other amounts due to employees comes under Category III. I do not understand why there should be this discrepancy between these two Bills since they are more or less of the same pattern and we are also discussing them together. Even the wording is the same in so many of the clauses and provisions. I would like to know why in one case top priority in meeting liabilities is given, I think correctly, to wages, salaries and other dues of the employees of the company, they will be the first charge, whereas in the case of Burn & Co., it is not so at all, and the arrears of the employees are relegated to a much lower position in the order of priority. I should think it is a matter of principle, it is not a matter of arithmetic. Why should one principle be applied in the case of Braithwaite and a totally different principle in the case of Burn and Co.? I do not know what this is due to, the

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Minister will explain, but I would certainly plead with him that the order of priority for the discharge of liabilities should be the same in both the Bills. and that should be what has been laid down in the case of Braithwaite and Co., in the post-takeover management period, that priority should be given to wages, salaries and other dues of the employees, and I hope these "other dues" will include provident fund also, as Ramsingh Bhai pointed out very strongly.

There are some amounts which are to be paid, but I am not quite clear from these Bills to whom they are to be paid, because they are not in the nature of compensation to shareholders. That is not stated anywhere in the Bills. In the case of Indian Iron and Steel Co. Bill which we passed the other day, there was a clear provision about the compensation to the shareholders, how it had been calculated, at what rate per ordinary share, at what rate per preference share etc., and it was given in the Financial Memorandum. But in these two Bills, as I can see, these amounts which are stated here are not in the nature of compensation to shareholders. I am happy about that. Of course, these concerns were not attractive in the share market. IISCO was one of the big attractions of the share market always, but I do not think these companies were very attractive to the shareholders. In any case, there must be shareholders also, but you are not providing them with compensation.

The amounts which are given are quite substantial. In the case of Braithwaite it is stated that one part of the amount is being given for depriving the company of the management of its undertaking. That language smacks of some kind of compensation. You are compensating the company because you are depriving it of its management. It is said that there shall be paid to the company an amount calculated at the rate of Rs. 50,000 per annum for the period commencing from the date on which the management was taken over and ending on the appointed date. The management of Braithwaite was taken over some time in 1971. That means that the intervening period is more or less five years. This money is to be paid to whom? Who will be the beneficiaries, because the company will cease to exist now, from the day this Bill is passed into law, probably from today? It is not money for distribution to shareholders. Who is going to get this money? I should like to know that.

Similarly, it is provided that for the acquiring and vesting in the Central Government of the undertakings of the company and the right, title and interest of the company in relation to its undertakings, there shall be given by the Central Government to the company in cash an amount of Rs. 16.25 crores.

Similarly, in the case of Martin Burn, the amounts have been stipulated. They are being given in consideration of the transferred undertakings and in consideration of the retrospective operation of the provisions of Clauses 3, 4 and 5 and so on. Will he clarify this? We want to know. Unless we know all this, we are not able to assess whether the amounts are being calculated correctly or not. By "correctly", I mean, whether the amounts are on the high side or not.

As for as compensation is concerned, we amended the Constitution some years ago with the conscious idea that it should not be made justiceable and, therefore, some amount should be prescribed by Parliament which cannot be called in question. The idea was that the country should be spared the burden of paying huge amounts as compensation which we cannot afford to pay. That is why we amended the Constitution so that, as somebody was saying the other day, the Government is perfectly within its constitutional rights to pay even a token amount. They are not compelled to pay more

than that though in most cases we are still continuing to pay. These amounts are not being given to share-bolders but are being given to an entity called the company on various beads. We would like to know who actually are going to be the beneficiaries of these amounts.

Regarding the liabilities also, I would like to know why the Government is not prepared to take the liabilities for the period between the date of take-over of management and the appointed day which is defined as the 1st April, 1975. Between the date when the Government took over the management and the 1st April, 1975, during this intervening period, they say, they are not prepared to take the liabilities of provident fund or other dues or other arrears. Even if there are any tribunals, as Mr. Dinen Bhattacharyya pointed out, before which some cases are pending, whose awards are still to come, the Government has made it clear that they are not preparde to undertake any resposibility or libility for that.

Now, between the date of take-over of the management and the appointed day, that is, 1st April, 1975, it was the Government which was running the managemet of these cocerns. I am not talking about the pre-take-over period. As Mr. Ram Singh Bhai pointed out, from the wrokers' point of view, if they have got any legitimate dues which are in arrears even before the take-over, at least the Government should see to it that the workers are not deprived of these dues. It is not due to their fault at all.

We know what private employers in this country have done, how many crores of rupees of arrears of provident fund, Employees State Insurance and all that are withheld. Again a new thing has come up which we will be discussing soon. The Government has discovered that when the day has come to re-pay the impounded amount of compulsory deposit,crores of rupees are in default and the employers have not deposited those amounts with the Reserve Bank. This is nothing new. This robbery of workers' statutory dues is going on in the most flagrant and shameless manner in this country. Therefore, I would say, not only for the pre-take-over period but more so for the period between the take-over of the management and the appointed day, why should the Government shirk the responsibility when the Government was responsible for the management of the company?

I draw his attention, for example, to the provision in Clause 13 of the Burn Company Bill. There is a similar provision in the Braithwaite Bill also. That is also Clause 13. It is Clause 13 in both the Bills. Here I would recommend for consideration Shri Ram Singh Bhai's suggestion that 'on the appointed day' should be deleted from this. Why should it be there at all?

The chapters which deal in both these Bills with the employees of the companies have guaranteed the right to employment, and so on, of all persons who have been working or employed in any undertaking of the company. 'Undertaking' is defined in Chapter II to include 'all assets, rights, leaseholds, powers, authorities and privileges, and all property, movable and immovable, including lands, buildings, workshops, stores, instruments, machinery and equipment..' etc. Workshops are certainly included, stores are included, but there is no specific mention here of the head offices of these companies. Are they a part of the undertaking or not? They are not covered by 'workshops' or 'stores'. There is no specfic mention of the head office of the Burn Company, head office of the Braithwaite and Company, head office of the Indian Standard Wagon Company. There are employees there, there are officers there, there are people there who may or may not be workmen under the Industrial Dispute Act, but they are employees. Why are they being left out? Why are they

[Shri Indrajit Gupta]

being excluded? How is their position being safeguarded? It is a small matter; it will not relate to more than a small number of people. But it may be due to oversight or what, I do not know. That lacuna should be removed here, and this definition of 'Undertaking' should specifically include the head offices of these companies, so that the people employed there are also given a guarntee of their rights being safeguarded.

I would have been happy if the Minister could have told us, if they have already decided, at least as to who are their choices for the top executive or managerial positions of these new copanies that are going to start functioning now-from tomorrow perhaps. They must have in their mind their choices, for example, the Chairmen of the Boards of Management or the Managing Directors. We would like to be reassured that they are really capable, competent and experienced people who will be able to make a good job of this very big responsibility being given to them. Experience in the past has not always been very happy. If he is in a position to tell us, we would be very happy to know.

Finally, I would like to add a few words to what Mr. Bhattacharyya has said about the question of industrial relations. Now that you are starting on a new basis, I think it would be advisable, from the very beginning, to decide whether or not you are going to adopt that type of industrial relations which has worked, more or less, successfully in allied public sector concerns like the steel plants and so on. By this, I mean that there is a multiplicity of Unions. We cannot avoid it. That is the reality. In Burn there are about half a dozen Union; in Braithwaite, there are perhaps, not half a dozen but less. Anyway, the usual pattern is there.

Mr. Bhattacharyya made a passing reference to certain incident which took place recently in the Clive Works of Braithwaite at Hide Road, which was really very very regrettable, because, there was a clash inside the factory premises during working hours, as a result of which four or five people were beaten to death inside the Department; this clash took place between the followers of two Unions, one of which claims to be the official INTUC Union and the other claims to be NLCC—there is something called NLCC in West Bengal; they are also Congressmen, but they do not follow the INTUC Union. But the clash, the rivalry went to such a stage that four or five workers were killed inside the plant, beaten to death inside the plant during working hours. I only want to say this. Long before this incident happened, about 3-4 years ago, as far as I can recall, during the period when the Government had already taken over the management, there were complaints coming in of visitors who were not employees of the factory and who had nothing to do with the factory being allowed to come inside the factory premises, carrying all sorts of weapons with them and threatening various people inside the Departments, going round from Department to Department and threatening people. I quite remember at that time I had approached the management and said. 'What are you dong? You are heading towards a disaster. Have you got no arrangements, no security arrangements or anything to prevent people who have no right to enter the factory premises? People who are not employees or workers—why should they be allowed to come in there day after day and go round from Department to Department, threatening people and the management?'. And the management always gave the reply saying, 'We cannot do anything. We have reported to the Police and it is for the Police to come and make arrangements.' Anyway, nothing was done and things went from bad to worse. And I am afraid this intra-union rivalry or whatever you like to call it, has gone to an absolute peak in the case of Braithwaite and has culminated eventually

in this physical clash which led to the murder or killing or beating to death of four or five workers inside the factory itself. There is a big responsibility now on the Government. In the case of Burns and ISW such things have not happened. Thank Goodness. But there is also the problem of rival unions and multiplicity of unions and all that. I do not claim like Mr. Bhattacharyya who is trying to claim that his Union is the majority union, because such things have never been tested. What is the use of talking that way? It is not the way that the problems can be solved now. The point is that in a nationalised undertaking, in a basic industry like this, some criteria must be evolved for trade union recognition. What are those criteria? Either it should be some kind of an objective test to be made of the membership of the various Unions and the actual influence and the following they have got and on that basis you come to some decision as to whom you will recognize and whom you will not recognise. But recognition should not be obtained by anybody under coercion or under physical pressure. I am using these words advisedly because regrettably this is what has been going on in my State.. Mere physical duress and coercion have been carried out with the aid of people who have nothing to do with the factory, who have been brought in from outside and the management threatened 'If you do not recognize us, we will not allow your factory to run'. Such things should not be permitted. Your nationalised undertakings will go to the dogs if such things are permitted.

So, industrial relations is a very important matter. I am not pleading myself that only the INTUC and AITUC should be given scope to represent the workers. I do not say that at all. I say in these individual units let some objective verification or testing be carried out of the actual position and then let the representative unions be ascertained and let them he given some positions of responsibility in the Joint Committees or Joint Councils of Management and so on as have been set up in the Durgapur Steel Plant where there has been a great improvement in recent months—there is no doubt about it—in production and everything.

I hope these matters will be borne in mind and much will depend, of course, on the competence and maturity of the top executives whom you are going to place in charge. That is why I wanted to know if you could tell us as to who is going to be the Chairman. They must have made their selection already. I would like to know that.

With these words, I welcome this Bill.

सरदार स्वर्ण सिंह सोखी (जमशेदपुर): स्पीकर साहब, यह जो बर्न कम्पनी और ब्रैथवेट कम्पनी के नेशनेलाइजेशन के बारे में दो बिल मंत्री जी लाए हैं, इन दोनों बिलों का मैं स्वागत करता हूं हालांकि ये बिल कुछ देर से आए हैं।

इन कम्पनियों के बारे में मुझे यह कहना है कि ये कम्पनियां पहले अच्छा भला काम करती थीं लेकिन बाद में इतनी नीचे एकदम कैसे चली गईं। इस की वजह मुझे यह मालूम होती है कि देसी बिजनेसमैनों के अन्दर जब ये कम्पनियां आईं, तो इन में वही पुराने आफिसर्स लगे रहे, जोकि अंग्रेजों के आदमी थे और उन लोगों ने इन कम्पनियों का काम ठीक से नहीं चलाया। उन लोगों ने बाहर वालों से ठीक कान्ट्रेक्ट नहीं किये जैसे कि युगोसलोविया के साथ जो इन्होंने वैगनों का कान्ट्रेक्ट किया, वह एक तरह से बहुत ही निराला ठेका था। उस ठेके में यह व्यवस्था थी कि जो वैगन यहां से जाएंगे उन का एसेम्बलिंग युगोसलाविया में किया जाएगा और उस का पैसा 20 इन्सटालमेंट्स में लिया जाएगा। इस तरह से जब तक इन को वैगनों का पैसा मिलेगा, वे वैगन भी खत्म हो जाएंगे। इसी तरह का कांट्रेक्ट इन्होंने जैसप्स कम्पनी के साथ किया था

[सरदार स्वर्ण सिंह सोखी]

1974 में और इस चीज का मैं भाई साहब के नोटिस में लाया था कि इस तरह का कान्ट्रेक्ट नहीं होना चाहिए और जल्दी से जल्दी इस को रेसिंड करना चाहिए। बाद में यह कान्ट्रेक्ट रेसिंड किया गया और 17 करोड़ रुपये उसकी वजह से बचे। यह मैं सन् 1974 की बात बता रहा हूं और इंडस्ट्रीज मिनिस्टर साहब को इस का पता है। उस के बाद जो अफसर लोग वहां पर थे उन्होंने लोगों को लूटना शुरू कर दिया। आप चाहें तो मैं उन अफसरों के नाम बता सकता हूं। कैसे कैसे वे अफसर बम्बई में और कलकत्ते में अपने घर बना चुके हैं। अब भी कलकत्ते में उन के घर बन रहे हैं और लोगों के पैसे से बन रहे हैं। इस तरह से इन लोगों ने बहुत से गरीब लोगों को लूटा है और अपना घर भरा है।

दूसरी बात यह है कि जब इन को बाहर से कर्ज मिलना बंद हो गया, तब इन्होंने पब्लिक पर अपना ध्यान दिया और 1970 से पब्लिक से फिक्स्ड डिपॉजिट्स लेने शुरू किये। जब इन्होंने फिक्स्ड डिपॉजिट्स लेने शुरू किये तो जो बेचारे रिटायर्ड आदमी थे, उन्होंने अपना कुछ पैसा फिक्स्ड डिपॉजिट्स में जमा करना शुरू किया और बाद में इन्होंने उन लोगों से इतनी बुरी तरह से व्यवहार किया कि उन लोगों को बड़ी मुश्किल हो गई। इन के पैसे लेने के जो टर्म्स एण्ड कंडिशन्स थे वे इस किस्म के थे कि अगर लोग अपना पैसा लेना चाहें तो उन को सूद नहीं मिल पाता था बाद में पब्लिक कुछ समझदार हो गई और उस ने फिक्स्ड डिपोजिट देना बंद कर दिया। जिन लोगों ने पैसा दिया उन की संख्या 150 है और उन का जो एमाउन्ट है वह 3 लाख 55 हजार रुपये का है। जहां तक मुझे पता है इस में ज्यादातर पैसा जो है मिडिल क्लास लोगों का और नौकरी पेशा लोगों का है। इस का जो एवरेज निकलता है वह 2500 रुपये है। इस सब का नतीजा यह हुआ है कि फिक्स्ड डिपोजिट्स जब मैच्योर हुए, तो उन का क्लेम करने वाले बहुत से लोगों का पता ही नहीं चला। कुछ लोग चले गये होंगे और कुछ मर गये होंगे। इसलिए मेरा निवेदन यह है कि यह जो 3 लाख 55 हजार रुपया है, वह जिन लोगों का रुपया है और जो इस के क्लेमेंट्स हों या जो मरे हुए लोगों के वारिस हों, उन को फौरन बुला कर दे देना चाहिये उन लोगों पर बहुत जुल्म हुआ है।

तीसरी बात मैं यह कहना चाहता हूं कि मैनेजमेंट का टेक-ओवर इन्होंने 1973 में किया और उस के बाद क्या हुआ, वह मैं आप को बतलाता हूं। एम्प्लाइज के सुपर-एनुएशन की जो बात आई, उस में दो कटेगिरीज एम्प्लाइज की है। एक केटेगिरी में वे एम्प्लाइज आते हैं जिन की उम्र 60 साल या 58 साल की हो चुकी है और रिटायर होने के बाद उन को ग्रेच्युटी आदि का पैसा देना होगा। उन को ग्रेच्युटी का पैसा न देना पड़े, इसलिए उन को फिर नौकरी में रख लिया। ऐसे जितने लोगों को इन्होंने रखा हुआ है उन की संख्या 611 है और उन को बैठा कर वे 2,90,900 रुपये हर महीने दे रहे हैं। वे रिटायर हो चुके हैं लेकिन बाद में उन को नौकरी में रख लिया। उन को ग्रेच्युटी के 41 लाख 74 हजार रुपये देने होते और पी० एफ० की फाइनल पेमेंट 41 लाख 10 हजार की होती। इस पेमेंट को न करने के लिए इन को 2 लाख 90 हजार 900 रुपये मंथली सैलरी दे रहे हैं। मैं पूछता हूं कि यह किस का रुपया था और गवर्नमेंट ने इस के लिए क्या कार्यवाही की और यह जो आप का डिपार्टमेंट है यह सोता रहा। लगभग तीन लाख रुपये का पेमेंट हर महीने होता रहा और ये बैठे देखते रहे। मेरे पास मार्च, अप्रैल तक की फीगर्स भी हैं और उन को भी मैं आप को बता सकता हूं।

दूसरी कैटेगरी में कौन लोग आते हैं :

MR. SPEAKER: The hon. Member may please continue after lunch.

13 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at Five minutes past Fourteen of the Clock.

[MR. DEPUTY-SPEAKER *in the Chair*]

BURN COMPANY AND INDIAN STANDARD WAGON COMPANY (NATIONALISATION) BILL AND BRAITHWAITE AND COMPANY (INDIA) LIMITED (ACQUISITION AND TRANSFER OF UNDERTAKING) BILL—*contd.*

The Lok Sabha re-assembled after lunch at Five minutes past Fourteen of the Clock.

सरदार स्वर्ण सिंह सोखी : मैं लन्च से पहले यह कह रहा था कि बर्न एंड कम्पनी में जो एम्प्लायीज रिटायरमेंट की एज पर पहुंच चुके हैं लेकिन जिन को फंड्स की कमी की वजह से रिटायर नहीं किया जा सका है उनकी संख्या 611 है और उनको कुल मिला कर आप हर महीने 2 लाख 90 हजार 900 तनख्वाह दे रहे हैं। इस पैसे को बचाया जाना चाहिये और उनको जल्दी से जल्दी रिटायर कर दिया जाना चाहिये। दूसरी कैटेगरी उन एम्प्लायीज की है जो सुपर एनुएशन की एज पर तो अभी नहीं पहुंचे हैं लेकिन जोकि फ़िज़िकली फ़िट नहीं हैं और इन लोगों की संख्या 100 है और इन पर आपका मंथली एवरेज खर्चा तनख्वाहों आदि का 47,700 आ रहा है। इनको ग्रेचुइटी की रकम 6 लाख 80 हजार 500 बनती है। प्राविडेंड फ़ंड की राशि 7 लाख 90 हजार बनती है। जिन को कई किस्म की बीमारियां हैं, जो अनफ़िट हैं, जो काम करने के लायक नहीं हैं, उन से आपको जल्दी छुटकारा पाना चाहिये। मिनिस्टर साहब नए हैं। शायद इनको पता नहीं है। धीरे धीरे इनको जानकारी हो जाएगी।

आपने अपने फाइनेंशल मैमोरेंडम में कहा है :

"....Bill provides that the liability arising in respect of (a) the loans advanced by the Central Government or State Government or both, to the two companies (together with interest due thereon) after the management of the undertakings of the concerned company had been taken over by the Central Government...."

अब आप देखें कि लोंज इस पर कितने हैं। फाइनेंशियल इंस्टीट्यूशंज के, बैंक्स के कितने हैं 31-3-1975 तक। आप इनको रुपया देंगे 25 करोड़ 30 लाख। लेकिन लोन कितना है इसको आप देखें। प्रो फ़ार्मा बैलेंस शीट जो 31-3-75 का है उससे मैं आपको बताता हूं। बर्न के ऊपर बैंकों का 1474.65 लाख का लोन है जो सिक्योर्ड लोन है। इंडियन स्टैंडर्ड वैगन के ऊपर 1407.48 लाख का सिक्योर्ड लोन है। टोटल हो जाता है 2882.13 लाख। अब मिनिस्टर साहब बताएं कि 25.23 लाख में किस तरह से काम चल सकता है। इसके बाद अनसिक्योर्ड लोंज जो हैं वे करीब 3219.04 लाख रुपये के हैं। अब आप किस तरह से सब भुगतान करेंगे और कहां से रुपया आएगा यह आप बताएं।

कई अफ़सर डेपुटेशन पर हैं। ये अफ़सर अपनी जिम्मेदारी को समझते नहीं हैं और न उनकी कोई जवाबदेही है। इन लोगों को या तो आप वापिस इनके दफ्तरों में भेजें या इनको वहां पक्का करें। जितने पुराने अफ़सर हैं उन में से कई अफ़सरों की मर्जी काम करने की नहीं है क्योंकि जैसे पहले

[सरदार स्वर्ण सिंह सोखी]

व मलाई खाते थे वह अब उनको खाने को नहीं मिलेगी । पुराने अफ़सरों की छानबीन की जाए । जो ठीक समझे जाए उनको रखा जाए । रिटायर्ड आदमियों को रखने की जरूरत नहीं है । उनको हेड बना कर रखने को क्या जरूरत है यह आप बताएं । मेरी समझ में नहीं आता कि क्या हमारे पास काबिल आदमियों की, इंजीनियर्स की कमी है ? जिनकी पुरानी आदतें खराब हो जाती हैं खर्चे बढ़ जाते हैं वह बदले हुए हालात में अपने को ऐडजस्ट नहीं कर सकते हैं । ऐसे लोगों को तो निकाल ही देना चाहिए ।

ब्रैथवेट कम्पनी के बारे में कुछ फैक्ट्स आप के सामने रखना चाहता हूं । यह भी इंगलिश कम्पनी थी जिस ने बड़े-बड़े काम किये, हावड़ा ब्रिज इन्होंने बनाया और भी पुल वगैरह बनाये । अच्छा काम यह कम्पनी करती थी । लेकिन अफ़सरों के मिस-मैनेजमेंट की वजह से और ब्रिजनैसमैन के अच्छे काम न होने की वजह से यह कम्पनी डूब गई । इस कम्पनी के मैजोरिटी इक्विटी शेयर्स की कुल तादाद 16 लाख है । एक शेयर 10 रु० का है जिस के मुताबिक 1 करोड़ 60 लाख रुपया हुआ । इस में से 16 शेयर ईक्विटी शेयर होल्डर्स हैं । दूसरे किस्म के शेयर्स और भी हैं जो रिडीमएबिल क्यूमि-लेटिव प्रीफ़रेंस शेयर कहलाते हैं । इन की टोटल संख्या 40,000 है, और एक शेयर 100 रु० का है जिस के मुताबिक 40 लाख रुपया बनता है । मैं चाहता हूं कि इन दोनों तरह के शेयर्स के वास्ते, इन दोनों तरह के शेयर होल्डर्स के साथ एक तरीके का बर्ताव किया जाय । अगर भेद भाव बरता जायगा तो अच्छा नहीं होगा । मजोरिटी ईक्विटी शेयर्स में इंगलैंड की ब्रैथवेट कम्पनी के, 313 1975 की बलैंस शीट के मुताबिक, टोटल वैल्यू आफ शेयर्स 12 लाख 58 हजार 700 रु० बनते हैं । यह कम्पनी 59, चर्च रोड, इंगलैंड में स्थित है । मेरा कहना है कि इन लोगों को 12 लाख 60 हजार रु० के करीब बिल्कुल नहीं देना चाहिये, यह पैसा देश के बाहर नहीं जाना चाहिये । इस को जब्त होना चाहिये ।

कई ऐसी बातें हैं जिस में बैंक शेयर होल्डर्स हैं । यह कैसे हो गया, समझ में नहीं आता । स्टेट बैंक आफ इंडिया के पास ब्रैथवेट कम्पनी के 10 ० वाले शेयर 4 लाख 76 हजार 521 ० के हैं । मैं जानना चाहता हूं कि जितने भी बैंक शेयर होल्डर्स हैं इन को किस तरह से डील किया जायगा ? बैंक शेयर होल्डर्स कैसे हो गए ? एक बैंक है युनाइटेड बैंक, इस के अधिकारी और कम्पनी के लोग मिल कर कर्जा देते गये, और इतना कर्जा चढ़ गया कि कम्पनी लिक्विडेशन में आने के करीब हो गई । अफसरों के इस करप्शन को हः; बन्द करना चाहिये । फिनान्शल मेमोरैंडम के पैराग्राफ 7 में कहा गया है :

"7. Funds will also have to be provided to the undertakings of the Company for modernisation and expansion. The expenditure on modernisation is necessary to make these undertakings financially viable. The total estimated expenditure during the remaining period of the Fifth Plan is estimated to be of the order of Rs. 1 crore (one crore only)."

यह एक करोड़ रुपया बहुत कम है । ब्रैथवेट ने 1975-76 के लिए अपना प्लान 1.50 करोड़ रुपये का बनाया था । इस के लिए 1 करोड़ रुपया रखा गया है और रिवाइज कर के उस को 82 लाख रुपये कर दिया गया है । अगर इस तरह रुपया काट दिया जायेगा, तो टाइम पर रा-मैटीरियल वगैरह नहीं खरीदा जा सकेगा, जिस से नुकसान होगा । इस लिए अगर हम इस को बढ़ा कर

1.50 करोड़ कर दिया जाये, तो अच्छा होगा।

फिनान्शल मेमोरेंडम में बहुत सी डीटेल्ज नहीं दी गई हैं। कम्पनी की फिगर्स के मुताबिक मैनेजमेंट के टेक-ग्रोवर करने और नैशनलाइज़ेशन करने के बीच के टाइम में इन्वेस्टमेंट ग्रान गवर्नमेंट लोन्ज : 228 लाख रुपया, पेमेंट ग्राफ़ लोन्ज : 510 लाख रुपया, ग्रदर लायबिलिटीज : रिवाइज्ड एस्टीमेट्स और बजट इस्टीमेट्स, 16 लाख और 39.77 लाख रुपया दिखाया गया है। वर्किंग कैपिटल को निल कर दिया गया है।

मिनिस्टर साहब को ऐसा इन्तजाम करना चाहिए कि पिछले दो तीन साल के बीच में जो गड़बड़ियां हुई हैं, वे ग्रागे रिपीट न हों। ब्रेथवेट कम्पनी अच्छा काम कर रही है। वह डिफ़ेंस एक्विपमेंट बनाती है और ट्रेलर बहुत अच्छे बना रही है। लेकिन उस के पास ग्रार्डर्ज की कमी है। वह कम्पनी बहुत पुरानी है और इसलिए उस की मशीनरी को बदलना बहुत जरूरी है। वहां पर ऐसा ग्रादमी रखा जाये, जो काम को समझे और सरकार के पैसे को अपना पैसा समझ कर खर्च करे।

इन शब्दों के साथ मैं इन दोनों बिलों का समर्थन करता हूं।

श्री हरी सिंह (खुर्जा): उपाध्यक्ष महोदय, सदन में बर्न एंड कम्पनी तथा इंडियन स्टैंडर्ड वैगन कम्पनी और ब्रेथवेट कम्पनी को नैशनलाइज करने सम्बन्धी दोनों बिलों पर एक साथ विचार हो रहा है।

बर्न एंड कम्पनी 1895 में स्थापित हुई थी। जहां तक उस के काम का सम्बन्ध है, वह मुख्य रूप से रेलवेज एंड गवर्नमेंट कन्ट्रेक्टर्ज, इंजीनियर्ज, मैनुफ़ैक्चरर ग्राफ़ रोलिंग स्टाक, ब्रिज बिल्डर्ज, ग्रायरन एंड ब्रास फ़ाउंडर, ग्रायरन शिप एंड बोट बिल्डर्ज, ब्रिज कन्ट्रेक्टस, मशीनिस्ट्स, मर्चेन्ट, पाटरी स्टोनवेयर और फ़ायर-ब्रिक्स मैनुफ़ेक्चरर, ग्रादि कई काम कर रही है। उस का काम केवल कलकत्ता में ही नहीं, बल्कि रानीगंज, जबलपुर (मध्य प्रदेश), गुल्फ़रबारी (बिहार) और सेलम (तामिलनाडु) में भी होता है। यह एक बहुत बड़ी कम्पनी है। देखने में यह ग्राता है कि 1895 से चलते चलते 1966-67 तक यह ठीक चली लेकिन 1967 के बाद इस की हालत खराब हो गई। प्रश्न यह उठता है कि जिस कम्पनी ने इतना भारी काम किया हो, जिस का इतने विकसित रूप से काम चल रहा हो वह 1966-67 में ग्रा कर क्यों गिरने लगी? इसकी वजह यह है कि जो उद्योगपति होते हैं वह देश के एकोनामिक ढांचे के रुख और रुझान को भी पढ़ते और समझते हैं। हिन्दुस्तान में समाजवाद की तरफ देश की जनता का रुख है। ग्राज इस कम्पनी के ऊपर एक नहीं करोड़ों रुपये की लायबिलिटी हैं और यह मुश्किल हो रहा है कि इस कम्पनी को किस तरह से ठीक ढांचे में लाया जाय।

इस के ग्राबजेक्ट्स एंड रीजन्स में कहा गया है कि इस के अंदर मिसमैनेजमेंट था जिस के कारण राष्ट्र की ग्रावश्यकता की चीजें जो इस में बनती थीं, उन को नुक्सान पहुंच रहा था और उन का प्रभाव देश में होता इन सारे कारणों से इसका राष्ट्रीयकरण किया गया है। बात बहुत मुनासिब लगती है। लेकिन मैं कहना चाहता हूं कि ग्राज हम देखते हैं कि हिन्दुस्तान में एक के बाद एक फैक्ट्री, मिल और प्राइवेट सेक्टर में चलने वाली फर्मों को सरकार लेती चली जा रही है और यह सिलसिला अब बन्द नहीं होने वाला है, ग्रागे और राष्ट्रीयकरण होगा।

[श्री हरी सिंह]

तो जैसा मैं कह रहा था आज का जो उद्योगपति है वह यह समझ गया है कि अब प्राइवेट इंटरप्राइज हेवी इंडस्ट्रीज में चलने वाली नहीं है। इसलिए मंत्री जी को और सरकार को यह निश्चित रूप से तय कर लेना चाहिए कि एक के बाद एक को नेशनलाइज करने के बजाय वह एक निश्चित पालिसी बना लें कि हेवी इंडस्ट्रीज का हमें राष्ट्रीयकरण करना है चाहे वह अच्छी अवस्था में हो, चाहे खराब अवस्था में, चाहे वह लाभ प्रद हो या नुकसान प्रद, सब के राष्ट्रीयकरण के लिए एक 'टाइम बाउंड प्रोग्राम बना कर उनका राष्ट्रीयकरण कर लेना चाहिए। इसी में देश और देश की जनता का हित है और सरकार का भी हित है। इस तरह से पीसमील काम करने से काम नहीं चलेगा।

अब तक यह माना जाता था कि प्राइवेट प्रापर्टी डिवाइन आफ नेचुरल राइट, है, लेकिन अब इस प्रकार की भावना जनता के अंदर से समाप्त हो गई है। अब तो समाजीकरण होना चाहिए। सारे देश की जनता सारे देश की मालिक है। तो इन भावनाओं को लेकर के हमको राष्ट्रीयकरण की तरफ बढ़ना चाहिए।

यह कंपनी तो बहुत खराब चल रही थी। इस मौके पर मुझे प्रधान मंत्री श्रीमती इंदिरा गांधी जी का यह कथन याद आता है:

"At any moment, if any privately owned industry is operating against the national interest or impeding social and economic progress, we should not hesitate to take it over."

तो मंत्री जी ने इस कंपनी का जो राष्ट्रीयकरण किया है वह ठीक ही किया है क्योंकि राष्ट्र की भावना को देखते हुए इस के अलावा और कोई चारा नहीं था। अर्थशास्त्र के एक बहुत ही विद्वान ने भी कहा है:

"For some industries, controls—financial controls or direct control—are enough. But sometimes controls are not enough, then the instrument of public ownership must be used."

इसी संदर्भ में मैं आगे और जोड़ना चाहता हूं:

"All property and all undertakings whose operation has acquired the character of a national public service or a monopoly in fact must become the property of the nation."

अपनी बात को आगे बढ़ाते हुए मैं यह कह रहा था कि देश में राष्ट्रीयकरण के अलावा और कोई चारा नहीं है और यह जो भावना बनी हुई है कि राष्ट्र को हमें समाजवाद की तरफ ले जाना है, इस संदर्भ में मंत्री जी ने यह बहुत ही अच्छा बिल राष्ट्रीयकरण का पेश किया है। यही नहीं हमारी जो इंडस्ट्रियल पालिसी है उस का भी मंशा यही है कि राष्ट्र में एकोनामिक ग्रोथ, सोशल जस्टिस और सेल्फ रिलायंस इन दि इंडस्ट्रियल स्फेयर हो। पब्लिक सेक्टर का रोल क्या है यह भी मैं आप को बताना चाहता हूं।

"All industries of basic and strategic importance, or in nature of public utility services, will be in the public sector. Other industries which are essential and require investment on a scale which only the State, in the present circumstances can provide, have also to be in the public sector. In the context of the approach to the fifth plan the state will have to take responsibility for the future development of industries over a wide field."

तो मैं कहना चाहता हूं कि हमारी इंडस्ट्रियल पालिसी, हमारा एलेक्शन मेनिफ़ेस्टो, हमारे राष्ट्र की पालिसी और हमारी जनता की जो मांग है उसके अनुसार राष्ट्रीयकरण के अलावा और कोई चारा नहीं है। सरकार को इस तरफ़ बड़ी तेजी से बढ़ना चाहिए।

अगर आप इन मिलों की बैलेन्स-शीट को देखें तो मालूम होगा पड़ता है कि करोड़ों का फ़र्क है, इस को आप किस तरह से पाट पायेंगे यह मेरी समझ में नहीं आता। इस के लिए सरकार को बड़ी तेजी से काम करना पड़ेगा तभी जाकर यह कम्पनियां इस देश के लिए फ़ायदामन्द साबित हो सकती हैं। आजकल आप जानते हैं हमारे देश में सार्वजनिक उद्योग बढ़ रहे हैं जिन में जनता और सरकार का भाग होता है। डिमोक्रेसी का यह उसूल भी है। अभी तक कोई प्राइवेट कम्पनी कोई चीज मैन्यूफ़ैक्चर कर के विदेशों में भेजती थी तो उस चीज के साथ केवल उस व्यक्ति की साख ही जाती थी लेकिन कम्पनियों का राष्ट्रीयकरण करने के बाद जो भी सामान विदेशों को जायेगा उस के साथ इस देश के 60 करोड़ इन्सानों की भावनायें भी जायेंगी। आज हमारे सार्वजनिक उद्योगों की बहुत सारी चीजें विदेशों में पापुलर हैं। आज अफ्रीका और एशिया की सड़कों पर हमारे देश के द्वारा बनाई हुई बसेज बड़ी तेजी से दौड़ रही है। और बहुत अच्छा पर्फ़ार्मेन्स दे रही हैं। तंजानिया जैसे मुल्कों में हमारे देश की बनाई हुई रेलें बहुत अच्छा कार्य कर रही हैं। मुझे खुशी है कि जो हमारी मंशा है, है, जिस को मैं ने कोट कर के बताया है और उस की ओर हम अग्रसर हो रहे हैं और इस के लिए मैं मंत्री जी का शुक्रगुज़ार हूं लेकिन एक बात मैं जानना चाहता हूं उन्होंने इस बिल में पेमेन्ट कमिश्नर की बात कही है जो किस तरह का एक सूटेबिल और क्वैलिफ़ाइड आदमी इस काम के लिए नियुक्त किया जायेगा ? आज कल कारखानों में मजदूरों के पार्टिसिपेशन को लेने की तरफ़ भी हमारा रूख होना चाहिए लेकिन यह चीज इस बिल में देखने को नहीं मिलती है। इस डिसपैरिटी को मिटाना है। इस को मिटाने के लिए जो हमारी एकोनामिक बेस्ट इण्डस्ट्रीज हैं वहीं से यह बुनियादी काम शुरू हो जाना चाहिए इस देश की आर्थिक प्रगति को और आगे ले जाने के लिए कारखानों के मैनेजमेंट में मजदूरों को हिस्सा देना चाहिये। मैं समझता हूं कि इस चीज का इस बिल में ध्यान रखा जाना चाहिये था।

मैं एक बात और कहना चाहता हूं कि कोई उद्योगपति जब तय कर लेता है कि इण्डस्ट्री उसे छोड़नी है और वह यह भी जानता है कि सरकार उसको अपने हाथ में ले लेगी तो वे क्या करते हैं कि जाने से पहले अपने सगे-सम्बन्धियों को उस इण्डस्ट्री में ऊंचे पोस्टों पर लगा देते हैं चाहे वह लोग उस के लायक हों या न हों। वे समझते हैं कि सरकार द्वारा कारखाना ले लेने पर उन लोगों का क्लेम बना रहेगा। मैं चाहूंगा कि इन कारखानों में यदि इस तरह की कोई एप्वाइंटमेंटस हुए हों, तो उनकी बारीकी से जांच कर लेनी चाहिये। इसी प्रकार से इस बिल को पढ़ने से एक शक और पैदा होता है। इस बिल में मजदूरों की ग्रेच्यूटी और उनकी सर्विस की सिनयॉरिटी के सम्बन्ध में कोई स्पष्ट प्रावधान देखने को नहीं मिलता हैं। मजदूरों के हितों की सुरक्षा के लिए, उनकी भविष्य निधि और पिछला जमा किया हुआ जो धन है उस के सम्बन्ध में इस बिल में प्रावधान अंकित हो जाता तो अच्छा था।

इन्हीं अलफाज के साथ, जैसा कि मैंने पहले कहा है—यह बिल देश में समाजवाद

[श्री हरी सिंह]

लाने के लिये, हिन्दुस्तान के आर्थिक ढांचे को मजबूत और ऊंचा उठाने के लिये बहुत ही महत्वपूर्ण है, मैं इस बिल का समर्थन करता हूं ।

DR. RANEN SEN (Barasat): I stand to support both the bills. But while supporting the bills, I want to raise certain points which need clarification from the Minister. The first point relates to Burn & Co. and Indian Standard Wagon Co. In the title of the bill relating to them, the word 'nationalisation' is given within brackets. In regard to the bill relating to Braithwaite & Co. the words 'Acquisition and transfer of undertakings' are put within brackets. Why this difference?

All the speakers who have spoken here, have said that they have taken both the bills as nationalisation bills. And if the words 'acquisition and transfer of undertakings' mean nationalization, why has not the latter word been mentioned? When the Minister had introduced the bill, I was not present. Therefore, I do not know whether he has clarified this point.

We are connected with unions of workers belonging to both the companies. Naturally, as a public man and as a trade unionist, I have every right to get this clarification.

In regard to Burn & Co. as also Indian Standard Wagons Co., I want to raise a few points which probably have not been made by other Members who participated in the discussion. Some time back, the junior officers working in Burn & Co. got their wages and salaries revised, whereas the workers who equally deserved some consideration from the Government in regard to the revision of their wages and other things, did not get it. The term of the West Bengal Engineering Tribunal's award had expired. In the present conditions, there is no award that guides workers' wages. We do not grudge the junior officers who have got their scales revised in their favour. The workers' demand would be that they shoud get the same consideration from the Government—since the Government is nationalizing Burn & Co. and Indian Standard Wagon Co.

My third point is this. I have read the bills relating to Burn & Co. and Indian Standard Wagon Co. very carefully. I find some discrepancies. Whereas in the bill relating to Braithwaite & Co., workers wages, provident fund and other dues get some prority—under section 18—in the bill relating to Burn & Co. and Indian Standard Wagon Co. the workers' dues come almost last.

SHRI DINEN BHATTACHARYYA: It is so, in the case of Braithwaite also, I think.

DR. RANEN SEN. No; in the case of Braithwaite & Co. it comes first. It is for the Minister to explain, because that may give raise to some misapprehension—if it is not explained—in the minds of the workers. Secondly in both these cases, what happens to the money under the Compulsory Deposit Scheme, deposited to both the companies, or to the three companies, under the Act of Parliament? It is stated in this House—and it is known to us—that not only in the private sector but also in the State sector, in the taken-over industry, the accounts of the CDS have not been maintained properly. The Government's directive was that the worker should get the first instalment before 15th July. As yet, the workers in both the companies have not go it. We are told that probably the accounting has not been made by the authorities who are responsible for doing it. Therefore, the Minister should see that the workers get at least their due share of the CDS money, according to the directions of the Government.

Then, Burn & Co. and Indian Standard Wagon Co.—more so, the ISW—constitute a heaven for the contractors.

This has been discussed in this House both during the discussion on the Budget Grants and aslo when these take-over Bills were introduced.

In the ISW in particular, there is a preponderence of contract labour. Some time back there was an agreement with the workers under the contractors that those who were doing perennial jobs would be taken as permanent workers of the company itself. According to that agreement, some workers were taken in the ISW, but it was done very slowly, sparingly and hapharzardly. All those who have been doing permanent jobs have not been absorbed.

Contract labour is not only against the interests of the workers, but is a source of corruption. It has been found to be so everywhere, and more so in the ISW where a number of officers are in league contractors. The contractors have been doing their jobs for years, and when a contract is over, somehow or other the same people manage to get appointed as contractors for the new contract in the same or under different names. Thus, lakhs and lakhs of rupees are being wasted in this way.

As mentioned by Mr. Sokhi, Braithwaite. Burn and ISW were really mines of gold. The huge Howrah Bridge which was started in the early 'thirties was constructed by a consortium known as BBJ—Braithwaite, Burn and Jassop. Jessop has been under Government for a long time, and it is a mine of gold, but if properly run, even Burn and Braithwaite can again become really mines of gold. Coming from West Bengal, I know how Burn & Co., from a very promient position, has been reduced to its present state by the mismanagement of the owners who happen to be Indians. I remember that in 1967 Burn and ISW authorities approached the Government of West Bengal, then run by the United Front, saying that they were not in a position even to pay the workers their monthly dues. They requested the State Government to stand guarantee for a loan of Rs. 2 crores, which the then Government refused to do.

After the take-over of Braithwaite particularly, many cobwebs had been removed and production was picking up. Before 1975 there was a lot of difficulty in running the company and maintaining production, but in 1975 there was a production of Rs. 4 crores, and in 1976, from January to July, the production has been more than Rs. 3 crores. That means it was picking up, which was a very good sign. In both the companies, the workers and the officers played a very glorious role, at least many of them tried to overcome the difficulties that were placed by certain people who were interested in the old company.

There is no mention of workers' participation in the management in these two Bills. They have said, "Workers' participation in industry." Workers are participating in the industry. Otherwise, the production will come to a stop. As far as public sector organisations are concerned, the Government should give a categorical assurance that workers would be involved in management from top to bottom. If there is any difficulty or if there is any rivalry between the two unions, then the simple method would be to allow the workers to elect their own representatives at the shop floor level and at a higher level in the management of a company or the Board of Directors, whatever it is. That is a very sound and democratic principle and that should be adhered to by the Government.

It is stated that Government should stand guarantee for the workers' dues from the appointed date. The appointed date is the First of April 1975. Braithwaite and Company was taken over in 1971. The other company was taken over in 1973. But the appointed date is the First of April 1975. So, between 1971—1975, there are four precious years, and between 1973—75,

[Dr. Ranen Sen]

there are two precious years. What will happen to the workers' dues and other things? As far as these dues are concerned, they have to be paid by the Government. This point has to be stated very clearly in this Bill. There are so many other points which have been covered in this Bill.

The second point is regarding Section 18 in both the Bills. Why do they differ? The Minister has to explain it. As far as Braithwaite and Company is concerned, the workers' dues get a preference. But in the case of the other company, it comes at the end. What is the position in this regard? Unless it is clarified by the Minister, there may be some doubt about it.

As you know, workers' money in the provident fund is eaten up by the employers and the Government remains silent. This financial question in regard to workers' money has to be clarified.

There are clauses and sub-clauses in both the Bills in which the conditions of service of the workers have been more or less guaranteed, but even then there are some loopholes which may be taken up by the authority and the management or anybody else who will be at top. who can transfer the workers from one place to another or who can terminate their services or force the workers to come to some agreement. It is not conducive to the interest of the workers, as far as their security of service and other conditions are concerned. They shoud be properly maintained.

I again thank the Minister for bringing in these two Bills, because they were long overdue and the workers were also making their demand. Last year, unions representing varoius political affiliations had asked the Government to nationalise these things immediately.

श्री मूल चन्द डागा :(पाली): उपाध्यक्ष महोदय, मैं दोनों बिलों का स्वागत करता हूं। बहुत कुछ कहने के लिये रह गया है, लेकिन मैं केवल दो, तीन बातें ही पूछना चाहता हूं। इंडस्ट्रीज डेवलपमेंट और रेगूलेशन ऐक्ट, 1951 का है, इस को पारित किए हुए कितने ही साल हो गये हैं, और इस के अन्तर्गत आप का क्या काम होता है? जो कम्पनी बिल्कुल दिवालियापन की स्थिति में हो जाती है तब आप कुछ करते हैं, उस के पहिले नहीं। आप ने अपने स्टेटमेंट में कहा है :

"Explaining the circumstances which necessitated the promulgation of the Braithwaite and Company (India) Limited (Acquisition and Transfer of Undertakings) Bill" when it was on the verge of closure.

उस समय आप इस कम्पनी को लेने के लिये कदम उठाते हैं।

"On the eve of the taking over of the management of the undertakings of the two Companies, their liabilities far exceeded the value of their assets, interest liabilities on the loans advanced by banks, and particularly credit facilities made available to the two Companies were mounting up and it came to a stage when the interest liability was as much as rupees one lakh and fifty thousand per day."

तो यह जो इंडस्ट्रीज डेवलपमेंट, एंड रेगूलेशन एक्ट, 1951 है, इसके सेक्शन 15 में यह है कि :

"Where the Central Government is of the opinion that—

(a) In respect of any Scheduled industry or industrial undertaking or undertakings—

(i) there has been, or is likely to be, a substantial fall in the volume of production in respect of any article or class of

articles relatable to that industry or manufactured or produced in the industrial undertakings or undertakings, as the case may be; for which, having regard to the economic conditions prevailing, there is no justification;

* * * * *

(b) any industrial undertaking is being managed in a manner highly detrimental to the scheduled industry concerned or to public interest;

The Central Government may make or cause to be made a full and complete investigation into the circumstances of the case by such person or body of persons as it may appoint for the purpose."

1966 से इसकी हालत खराब होने लग गई। मैं यह जानना चाहता हूं कि यह जो एक्ट बना हुआ है, इसकी धारा 15 के मुताबिक आपने क्या कदम इसके बारे में उठाये ? आपके पास समय समय पर इसकी क्या रिपोर्ट्स आई ? आप जो कंपनियां ले रहे हैं, वह अच्छा काम कर रहे हैं, लेकिन आज भी मुझे यह मालूम नहीं पड़ा कि उस के पास कितनी इम-मूवेबल प्राप्टीं है, कितनी मूवेबल प्राप्टीं है और कितनी मशीनें वगैरह हैं। इस कंपनी को नेशनलाइज्ड बैंक इतना लोन देते रहे, यह सिक कंपनी है, तो इसका कारण क्या है ? आपने खुद अपने मेमोरेंडम में लिखा है कि 1966 से इस की हालत खराब होने लग गई और 1966-67 के बाद से आज तक इसकी हालत खराब होती रही। आपके मेमोरेंडम से मालूम नहीं होता कि कितना कर्जा इस को देना है, कितना लेना है। यह सब बातें तो मालूम होनी ही चाहियें।

मैं यह जानना चाहता हूं कि टेक-ओवर में और नेशनलाइज करने में इतना समय क्यों लगाया जाता है ? इस में क्या आपका परपज है ? इंडस्ट्रीज डवलपमेंट एंड रेगूलेशन एक्ट, 1951 का क्या परपज था, उसका यही परपज था कि जो देश में इंडस्ट्रीज हैं, जिनका काम नहीं हो रहा है, जिन से लाभ नहीं होता है, उनकी आप के द्वारा इन्क्वायरी होनी चाहिये। लेकिन मेरे ख्याल से हमारी सरकार की कुछ गलतियां रहती हैं। और उन के कारण वह कई सालों तक चुपचाप रहती है। उस के बाद जब पता लगता है कि किनारे पर इंडस्ट्री लग गई है, केवल ढांचा ही ढांचा रह गया है तब उस ओर ध्यान दिया जाता है। मेरे ख्याल में इस कंपनी में अब कोई खून बाकी नहीं रह गया है, यह बिल्कुल खोखली हो गयी है। अब आप इसे नया खून देना चाहते हैं, ठीक है, इस से यह खड़ी हो जायेगी। लेकिन इस तरह क्यों इनको कर्जा देते रहते हैं। दस साल तक जो कर्जा देते रहे हैं, इसका क्या कारण है ?

SHRI CHAPALENDU BHATTACHARYYIA (Giridih): Mr. Deputy-Speaker, Sir, I welcome the two Bills, one for the nationalisation of Burn Company and the Indian Standard Wagon Company and the other for the acquisition of Braithwaite & Company. A hundred-year industrial history with its rich industrial culture is turning a page today, with this nationalisation. How this came about is a different story. There was a crisis of confidence, there was resources constraint and there were certain other constraints in the constitutional provisions; and the question of quantum of compensation, now that the amount has been reduced, has made things easier. But the immediate cause for the decline of the companies was of course, as my colleague Mr. Daga has said, the traumatic experience of the United Front Government of West Bengal since 1967.

But how this came about is secondary. The relevant question is on what lines we have to advance. We have to advance by modernising these units; we have to diversify these units. They

[Shri Chapalendu Bhattacharyyia]

have a very rich industrial culture behind them as also expertise, and we must ensure that this expertise is not diluted. We must also try to get the best out of the workers and the junior executives by a continuous process of dialogue and close participation in the day to day affairs of the Management. What for? Because our export of engineering goods is going up. From Rs. 45 crores it has gone up to Rs. 355 crores and we have the target of reaching Rs. 500 crores this year and Rs. 1000 crores by 1982-83, as Mr. Pai had told us only yesterday.

I welcome these Bills because I had particularly mentioned during the Demands for Grants for Heavy Industries that these units which were closed or were closing should be taken over and should be made a base for our export promotion drive. We have a favourable freight zone in the eastern region of the South-East Asian countries and Indonesia. But, at all times, we have been exporting raw steel and patting ourselves on the back that we have exported raw steel worth Rs. 45 crores and that we could go up to Rs. 300 crores. But why export raw steel by which India is getting only Rs. 1200 or Rs. 1300 per ton? The fabricating capacity of these firms would be of the order of 7000 tons annually and it could be more with a few additions. By fabricating every ton of raw steel, India would be getting about Rs. 4500 per ton and we would also be expanding our employment opportunities. For this, what is necessary is a close market survey of the South-East Asian and other countries and a close survey of our technological capacity in the matter of heavy engineering industry and structurals, so that these diversifications enable India to close the technological gap and we could come into our own. For instance, where it is possible, we should introduce miniaturisation; where it is possible, we should introduce computerisation; where it is possible, if they are not already there, we should introduce die-sinking machines, so that some of these machines could reproduce themselves.

Questions have been raised about the share-structure, the amount—not compensation—that we are going to pay, labour dues and so on. All are relevant. But the HEC, that half-slumbering giant, took Rs. 300 crores of our resources for an effective production of 60,000 tonnes. Compared to that, this is a small price to pay. There have been delays in decision-making, and much of our difficulties, which the Minister may have to face in the coming months, will be because of the delays in decision-making between 1973 and 1976.

Another point which is relevant is the price which the Railway Board is paying for the wagons. Previously it might have been argued that it would go to some private pocket. Now, what the Railway Ministry would lose, the Ministry of Heavy Industries would gain. Therefore, since many of the public sector corporations are leading a sort of marginal existence by overdrawing upon each other, this will be another exercise in that. But if we are set on a firm course of diversification and modernisation, and mount an export offensive, I am quite confident that, with the expertise available there, these units will become viable units and assets.

The question of contract labour like King Charles' head has been cropping up again and again on every Bill of take-over or nationalisation. I quite agree that contract system leads to abuse and mal-practices, but I had expected Dr. Ranen Sen to say as to what would happen to the contract labour. The difficulty is that, immediately you do away with the contract system, the contractor's workers are being thrown on the streets. This is happening now in the coalmines—with pay-loaders, the loading kamins are being thrown on the streets. In the circumstances, if the contract

labour is also to be absorbed now, I am afraid, in the present circumstances and finances of the company, the company might sink. So, a reasonable, pragmatic method of phasing out the contract system is called for, and I would request the Minister to phase out the contract system ensuring that not only the fair wage clause is there in the agreement but the wage component payable is paid departmentally and not through the contractor. That would have at least ensured workers' dues. As a trade unionist, I would never welcome a lacuna in the Bill by which the workers will fall between two stools, pre-takeover of management and post-takeover of management. There are certain lacunae in the Bill which have been pointed out by Shri Ram Singh Bhai; those have to be removed, so that the workers do not become losers.

15 hrs.

As I said earlier, I would end by saying that a continuous dialogue and continuous participation of workers in management, inviting suggestions through suggestion boxes, rewards for different technical processes and cost cutting processes accepted should be actively encouraged so the workers have a sense of belonging and a sense of participation. That will not only be immediate pick-me-up remedy for these units, but also make for a long range cure and a road towards socialism.

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA): Mr. Deputy-Speaker, Sir, I would like to express my heartfelt thanks to all the hon. Members, who have been kind enough to support the Bill. Some of the hon. Members have, of course, raised some doubts the approach of the Government as to how best we are going to meet the liability of arrears which are due to the workers. Hon. Members, Shri Dinen Bhattacharyya, Shri Indrajit Gupta, Shri Ram Singh Bhai, Shri Hari Singh, Dr. Ranen Sen and Shri Chapalendu Bhattacharyyia raised the question of employees' dues being met as a result of the nationalisation of the Undertaking with effect from 1st April, 1975 both in regard to the pre-take-over and post-take-over period.

As I stated in my opening speech when the Bill was going to be discussed, these two Bills are going to have a little separate approach with regard to the question of arrears due to the workers. I would, however, like to explain in detail so that whatever fears the hon. Members have got in their minds that the workers may not get their dues, are removed completely.

First, I would like to take up the Burn Company and the Indian Standand Wagon Company. The liabilities are being divided into two categories, the liabilities which are due for the period of post-take-over management and the liabilities which had been due for the period of pre-take-over management. I would like to mention about the post-take-over management. Every liability arising out of the wages, salaries and other dues of the employees of Burn Company and Indian Standard Wagon Company in respect of the post-take-over period has been assumed fully by the Central Government or the Government Company to be formed *vide* sub-clause (2)(b) of clause 5 of the Bill, Burn Company and Indian Standard Wagon Company (Nationalization) Bill. About the pre-take over period, so far as the pre-take over employees' dues in the form of arrears are concerned, it will be seen that these figures come under category 3 under the pre-take over management period of the Second Schedule of the Bill....

SHRI DINEN BHATTACHARYYA: Is it the Second Schedule or the First Schedule?

SHRI B. P. MAURYA: I am talking of Burn and ISW. I think you are talking in terms of Braithwaite to which I will come a little later.

[Shri B. P. Maurya]

According to the current calculations, the amount involved is about Rs. 78.35 lakhs pertaining to pre-take over management period. This will be fully covered out of the amount provided in the Bill for payment to both the Companies i.e. Rs. 25.23 crores. As I have already explained, the amount provided in the Bill will cover all the liabilities in categories 1 and 2 in the post take-over management period and will also cover fully category 3 relating to employees' arrears in the pre-take over employment period. If I give the figures here, I think things will be clearer.

The total amount which is fixed for both the companies is Rs. 25.23 crores of Part A which is for post-take over management period in Schedule 2. In category II, the amount will come to Rs. 10.29 crores and under category 2, the total amount will come to Rs. 63 lakhs. Out of this amount of Rs. 25.23 crores, if this amount is deducted, then category III, is very well covered. Not only category III will be covered but it will also be flowing up to category IV and out of the amount of Rs. 19.62 crores, at least Rs. 13.52 crores of the secured loans will be given. So, in the case of Burn and ISW, all the liabilities including salaries and liabilities of the workers regarding the post and pre-take over period are met.

I would now come to the second company, viz., Braithwaites. So far as Braithwaites are concerned, it has already been explained that in regard to post-take over management period, that is, between March 1971 and 1st April 1975, the wages, salaries and other dues of the employees come to about Rs. 80 lakhs. This has been accorded the first priority in category I under post-take over management period. It will, therefore, be seen that this amount is fully covered out of the amount provided in the Bill for payment to the company, i.e. Rs. 16.25 crores.

Hon. Members, Shri Indrajit Gupta and others have been mentioning repeatedly how it is that the workers' dues are being given top priority in the case of Braithwaites but that is not being done in the case of Burn and ISW. So far as Burn and ISW are concerned, as I have already mentioned just now, the entire dues of the workers are met, but, in the case of Braithwaites, the Government have gone in a more sympathetic manner and it is with in the discretion of the Government to change the order of priorities. Generally, the secured loans are given the top priority but in the case of Braithwaites, if we had given the top priority to the secured loans, then workers' dues would have been left without any solution. That is why we have put this specifically under category I giving top priority so that the workers' dues are met.

श्री राम सिंह भाई : बहुत अच्छा ।

श्री बी० पी० मौर्य : अगर हम ऐसा न रखते, तो उन की समस्या हल होने वाली नहीं है । अभी माननीय गुप्त जी ने कहा है कि इन दोनों में फर्क क्यों रखा है । डा० सेन भी यह कहते रहे हैं कि और दूसरे माननीय सदस्य भी कहते रहे हैं कि ऐसा क्यों किया है । हमने ऐसा इस लिए किया है कि इस में वर्कर्स को ज्यादा से ज्यादा जो उन के एरियर्स हैं, वे उन्हें मिल सकें ।

As regards arrears in relation to pre-take over management period, that is, prior to March 1971, it falls in category V under the pre-take over management period. No doubt the amount provided in the Bill will not carry the Commissioner of Payments figures beyond Category I and Category II. However, I would like to mention that pre-take over arrears as on 31-3-71 stood at Rs. 78.62 lakhs, the Govt. managed company having already discharged arrears to the extent of Rs. 71.45 lakhs. The shortfall is

only of Rs. 7.18 lakhs. It will therefore be seen that even in regard to pre-take-over management period, the arrears to the employees have been substantially discharged. Shri Dinen Bhattacharyya expressed certain lurking fears in his mind about the functioning of these companies after take-over. After the take over by the Government they have been showing satisfactory trends. In case of Burn and Company and Standard Wagon Company, the management of these two companies were taken over by the Government on 19-12-73.

Sir, I am now mentioning the production figure yearwise. After take over in terms of valuation, for the year 1973-74 it stood at 10.61 crores, in 1974-75 Rs. 17.50 crores, in 1975-76 Rs. 28.50 crores. It is our estimate that in the current year it may go up to Rs. 31.16 crores. In case of M/s. Braithwaite & Co. Government decided to take over management of the company in early March 1971. The works of the company were reopened in late March. 1971. At the time of the take-over the company's accumulated losses were very substantial. The Government has been financing the company all along. Government loans have progressively increased to more than Rs. 22 crores by March, 1975.

The operational results of the company have been adversely affected for various reasons including heavy interest burden on loans and a severely undercapitalised structure. After a detailed economic survey of the affairs of the company, it was decided that its viability could be achieved with partial diversification and also by implementing certain balancing and replacement programmes. At the same time, it was decided to formulate a scheme of capital reconstruction so that the crushing burden of the interest on loans could be reduced. A scheme of modernisation has been undertaken and Government have already sanctioned funds for the purpose. It is expected to be completed by 1976-77.

The production performance of this company has been showing a satisfactory progress, as would be seen from the figures that I am going to quote:

1971-72	. .	Rs. 5·30 crores.
1972-73	. .	„ 9·90 crores.
1973-74	. .	„ 11·34 crores.
1974-75	. .	„ 13·09 crores.
1975-76	. .	„ 16·40 crores.

For the current year, it may go upto Rs. 21.54 crores. These figures go to demonstrate beyond doubt that the performance of these companies had been quite satisfactory after the take-over.

Shri Biren Bhattacharyya raised the issue about the head-office employees of Martin Burn Ltd. So far as the nationalisation bill is concerned, this is related only to the two companies—M/s. Burn and Co. and the Indian Standard Wagon Company Ltd. These two companies are distinct and separate from Martin Burn Ltd. There is no question of taking the employees of the head office of Martin Burn & Co. within the purview of the provisions made in the Bill. So far as the employees of the Burn & Co. and ISW Ltd. are concerned, every employee continues on the same service conditions, that is, even after the 1st April 1975. This has been made amply clear in clause 12. Same is the position in the case of Messrs. Braithwaite. It has also been made clear that they will continue to be employees of the Central Government or Government Company till their services are terminated or remuneration and terms and conditions of employment are duly altered by the Central Government or the Government Company, as the case may be.

Sir, Shri Indrajit Gupta had been raising the issue that the amount had been substantial.

SHRI DINEN BHATTACHARYYA: Do I take it that the fate of the employees of the head office is not yet

[Shri Dinen Bhattacharyya]

decided? In the head office of the Burn & Co., ISW, the work is not in that way separated. They are all in the Martin Burn & Co., head office. So, my question is: what will be the fate of these employees in Calcutta—you forget about their number. What will be their position?

SHRI B. P. MAURYA: At present we are discussing this Bill and through that we are going to take over three companies—Burn & Co., ISW and Braithwaite. So far as other companies are concerned, they may have been having certain relations. We are hardly concerned with them at this time. We are concerned with these three companies only. I may again assure that no worker will be retrenched. That will be our approach and that has been the policy of the Government also. The Hon. Member, Shri Indrajit Gupta had been raising the issue that we have amended the Constitution. So far as compensation is concerned, there used to be the word 'compensation' in the Constitution and because of various reasons, this word was replaced by the word 'amount' by the constitutional amendment. He had the feeling that the amount which we have fixed after taking into consideration the assets and liabilities had been the fair calculation. No doubt, the amount should not be illusory; it should be there, it should not be illusory. In certain cases, when the liabilities are very high or very heavy in comparison with the assets, there can be a token amount. But in assessing assets, no doubt the word 'compensation' is replaced by the word 'amount'. But as I said, the amount should not be illusory; it should be reasonable. So in this case, the assessment has been done in such a manner that the amount is quite reasonable. It is neither on the high side nor on the low side; it is just and reasonable.

A point was made about the shareholders of Burn-ISW and Braithwaites also by Shri Dinen Bhattacharyya. As I have already explained, in the case of Burn-ISW, the amount provided in the Bill cannot be expected to go beyond category IV in the pre-takeover period. As regards Braithwaites, the amount provided can go only up to category I and category II in the post-takeover period. The shareholders' rights which come last cannot obviously be provided in the legislation by passing the priority claims of secured loans and employees' dues. So far as these amounts are concerned, hardly any amount is going to the shareholders or owners who had been responsible for the mismanagement and for the sickness of these units.

As regards the point made about modernisation and diversification of the plant of Burn-ISW, the National Industrial Development Corporation has already submitted a report on the replacement and repair programme of Burn-ISW costing Rs. 3.62 crores. Apart from this, there is also a report from Dr. S. S. Ghosh of Messrs. Belpahar Refractories Limited on the modernisation and expansion of Works of Gulfarbari, Niwar and Salem of Burn & Co. estimated to cost Rs. 16.71 crores in two phases. Besides, there is a limited scheme for emergency plant and machinery rehabilitation of the Niwar works costing about Rs 98 lakhs. These various proposals are in different stages of consideration by Government. During this financial year, we have made a budget provision of Rs 1.8 crores for plant schemes relating to Burn-ISW.

Honourable members had been raising the question of some disputes regarding Unions and some incidents also. No doubt, it had been a very sad incident. But I would make a request to hon. members that let us sit outside and find a solution so that workers may not fight among themselves and no management dares to forfeit their rights.

Sardar Swaran Singh Sokhi made a point about superannuated employees

still being continued in Burn-ISW even after the takeover of the management by the Central Government. It is true that at the time of takeover, it was found that employees who were due for superannuation had not actually superannuated. At that time, the financial position of the company was extremely precarious. It was with great difficulty that funds could be found through IRCI and the banks for even essential items of expansion so that production could be maintained and improved. Terminal benefits due for payment to over 500 employees amounted approximately to Rs. 50 lakhs and money could not be found readily so that the employees concerned could be retired. It was, therefore, decided to retire them in a phased manner at the rate of 10 persons per month. By October 1975, about 100 people had been retired. During the last month, notices were issued for retirement of about 40 employees. Vigorous steps have been taken to continue this phased retirement so that the burden or the undertaking on account of such employees is removed at the earliest. Dr. Sen and some other Members also made a point that there was a big time gap between taking over the management and nationalisation. Shri Daga also specifically referred to this. Under the Industrial Development and Regulation Act of 1951 we take over management of units; so far as nationalisation is concerned, it is being done under the provisions of the Constitution. No doubt there had been a little delay in between. We had to find out whether those units are worth nationalising. That is why that delay has been there. Anyhow I should like to assure the hon Members that in future we are going to plan in such a way that before any unit goes sick, some monitoring arrangements are there. We are also requesting the financial institutions and banks, when they advance moneys to any unit, to see to whom they are advancing finances; and also to see that they are working, so that even at that time we know what is wrong with that unit. We will be coming before the hon. House for the amendment of the Industrial Development and Regulation Act and also the concerned sections of the Companies Act so that in future we shall try and see that the units do not go sick.

There had been some doubts about the units and undertakings of Burn-ISW including works at Howrah, Raniganj, Gulfarbari, Jabalpur, Niwar, Durgapur, Kondal, Lal Koti and Salem. They include refractories, ceramics, etc.

DR. RANEN SEN: Does it include Kulti works?

SHRI INDRAJIT GUPTA: That is Indian Iron.

SHRI B. P. MAURYA: I do not think it includes that but I speak subject to correction. Shri Dinen Bhattacharyya also raised objections about the wording of clause 4(5). It is well drafted. So far as sub-clause 2 of clause 5 is concerned, we give protection to the workers; after the management is being taken over by the government the workers have every right to sue the government or the government company and *vice versa*. I may assure him that there is nothing wrong with this clause and it is in the interest of the workers and gives them protection. I think he will pardon me; he should think over it again.

Shri Bhattacharyya raised the issue and said that instead of exporting steel....

SHRI CHAPALENDU BHATTACHARYYIA: Which Bhattacharyya, Marxist Dinen Bhattacharyya or Nirakshar Chapalendu Bhattacharyyia?

SHRI B. P. MAURYA: I look towards him and I refer to the hon. Member belonging to the Congress. He has been giving very valuable suggestions and he said that instead of exporting raw steel, we could give a helping hand in a big way to those units in areas of industrial activity.

[Shri B. P. Maurya]

It had a high place in the international and national market. No doubt today they are not having that image but by giving a helping hand to those old units we could add to our exports in the category of engineering goods; we will not only be helping those units but we will also be helping developing countries which need our help, when we export engineering goods to such countries. There had been some other objections also. I wish I could meet all of them. But time is running against me! I would like to assure hon. members that whatever difficulties or objections they have about the working of these units, they can bring them to my notice and I am always at their disposal. So far as these Bills are concerned, the very fact that they have got support from all members irrespective of their party affiliations proves beyond doubt that these Bills are in the interests of the nation and in the interests of the working class. I express my thanks to hon. members who participated in the discussion.

DR. RANEN SEN: Has the Government taken any step towards workers' participation in management?

MR. DEPUTY-SPEAKER: That is a general policy. It is one of the points of the 20 point economic programme.

DR. RANEN SEN: That is workers' participation in industry.

MR. DEPUTY-SPEAKER: I am mixing it up with Swaran Singh Committee's recommendations on amendments to the Constitution. It comes because of having too much intellectual indigestion.

SHRI INDRAJIT GUPTA: Who is having it?

MR. DEPUTY-SPEAKER: I am.

SHRI INDRAJIT GUPTA: I sympathise with you!

MR. DEPUTY-SPEAKER: The question is:

"That the Bill to provide for the acquisition of the undertakings of the Burn and Company Limited and the Indian Standard-Wagon Company Limited with a view to ensuring the continuity of the production of goods which are vital to the needs of the economy of the country and for the fulfilment of the contracts for the supply of railway wagons abroad and for matters connected therewith or incidental thereto, be taken into consideration."

The motion was adopted.

MR DEPUTY-SPEAKER: The question is:

"That the Bill to provide for the acquisition and transfer of the undertakings of Messrs. Braithwaite and Company (India) Limited for the purpose of ensuring the continuity of production of goods which are vital to the needs of the country, and for matters connected therewith or incidental thereto, be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER: Now we will take up clause by clause consideration of the first Bill, i.e. Burn Company and Indian Standard Wagon Company (Nationalisation) Bill. There are a number of amendments given notice of by Shri Ram Singh Bhai. Is he moving them?

श्री राम सिंह भाई : मंत्री महोदय के आश्वासन को देखते हुए मैं अपने संशोधनों को मूव नहीं करना चाहता हूं ।

उपाध्यक्ष महोदय : धन्यवाद ।

The question is:

"That clauses 2 to 34, the First Schedule, the Second Schedule, Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 2 to 34, the First Schedule, the Second Schedule, Clause 1, the Endeting Forfula and the Title were added to the Bill.

SHRI B. P MAURYA: I beg to move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

MR. DEPUTY-SPEAKER: Now we take up clause by clause consideration of the next Mill, i.e. Braithwaite and Company (India) Limited (Acquisition and Transfer of Undertakings) Bill.

There are no amendments.

The question is:

"That clauses 2 to 33, the Schedule, Clause 1, the Enacting Formula, the Preamble and the Title stand part of the Bill."

The motion was adopted.

Clause 2 to 33, the Schedule.

Clauses 1, the Enacting Formula, the Preamble and the Title were added to the Bill.

SHRI B. P. MAURYA: I beg to move:

"That the Bill be passed."

SHRI B. V. NAIK (Kanara): Sir, since much of the details have already been mentioned, I would like to seek certain clarifications from the hon. Minister.

Since the objective of the Bill is to provide for the continuity in the production of goods which are vital to the needs of the country, contract for supply of wagons abroad etc., the main thrust which I want to make is in regard to the general policy. When you wanted certain workshops, manufacturing concerns, machinery etc. installed, in cases like this, where there is a long history of mismanagement, causing loss of interest, heavy overdues or bad investments, and low production is expected instead of taking over them and investing precious money of the Government, why is it that you are not able to liquidate these companies, because as soon as a company is liquidated the first result of that is all the interests that are becoming payable in respect of dues become non-payable. I understand that, leaving aside the National and Grindlay's Bank, most of the other sources are the Public sector banks, and it might have been a sort of motive, undisclosed motive, in order to save these banks from being affected by the non-payment of these dues. But if the intention in regard to keeping up the continuity of production is to be served, it can as well be done by the simple process of taking over the production part of an enterprise, and not the constitutional part of an enterprise.

MR. DEPUTY-SPEAKER: Are you supporting the Bill or opposing it? What are you doing?

SHRI B. V. NAIK: After having supported it, I am trying to give them a certain amount of guidelines.

MR. DEPUTY-SPEAKER: Do you know what the third reading is for?

SHRI B. V. NAIK: For the purpose of...

MR. DEPUTY-SPEAKER: For the purpose of supporting or opposing, and nothing more.

SHRI B. V. NAIK: I hope that we can give certain guidelines in regard to the future?

MR. DEPUTY-SPEAKER: You should have done it in the first reading. Anyway, you conclude your speech.

SHRI B. V. NAIK: This is the point I wanted to make, in view of the fact that both these companies are going to lean heavily on the exchequer in regard to the allocation of resources.

In this country we do not have buyers for such heavy investments. If these companies, in regard to which there has been heavy mismanagement were to function even in a free economy of the world, most of the directors would have been charge-sheeted. The hon. Minister has not said a single word as to the reasons why the management went down, who were the directors or the people in charge of the management, who were responsible for the coming down of these institutions and what action is being taken against them for malfeasance or misfeasance and mismangement, for the liability in respect of running the concern in a desirable way, as is provided in the company law, it is said that under the law of torts it is being accepted. But, except speaking in terms of the adequacy or inadequacy of the amount which is *de facto* compensated, we have said nothing more.

It is mentioned here:

"Due to the priority of claims in other sectors and constraint of resources, however, the Planning Commission have not been able to allot additional funds."

Constraint of resources is time and again given in respect of all new projects. There are other projects, more worthy, crying for allocation of resources. We say day in and day out that we do not have funds.

MR. DEPUTY-SPEAKER: The Minister has already replied to these points.

SHRI B. V. NAIK: Therefore, I fee, whenever any concern is a profitable concern, it is a matter for consideration. But when a concern is bankrupt, has gone in virtual liquidation, it is time for us to call for the liquidation of that concern, and thereafter take all the productive parts of it with no liability, of course, giving protection to the workers. I feel that should be the approach. The hon. Minister has stated that they are going to amend the Industries (Development and Regulation) Act to cover sick industries. When he formulates that legislation, he may kindly keep this in view, so that we do not take over all the time the debris of the capitalist system.

MR. DEPUTY-SPEAKER: For the future guidance of Mr. Naik, I will read out the relevant rule relating to third reading:

"The discussion on a motion that the Bill or the Bill as amended, as the case may be, be passed shall be confined to the submission of arguments either in support of the Bill or for the rejection of the Bill."

Kindly keep that for your future guidance.

The Minister, if he has anything to say.

SHRI B. P. MAURYA: No doubt, due to mismanagement and absence of modernisation and diversification, these units became sick. I explained that in my reply. By this proposal for liquidating these companies, the hon. Member is trying to reconcile the irreconcilable.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

15.40 hour.

[SHRI ISHAQUE SAMBHALI *in the Chair*]

DELHI SALES TAX (AMENDMENT AND VALIDATION) BILL

THE MINISTER OF STATE INCHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): I beg to move:

"That the Bill to amend retrospectively the law relating to sales tax as in force in the Union territory of Delhi during a past period and to validate taxes on the sale or purchase of certain goods during such period, be taken into consideration."

By a notification issued by the Ministry of Home Affairs on 28th April, 1951, under section 2 of Part "C" States (Laws) Act, 1950 [later on named as Union Territories (Law) Act, 1950, after Delhi became a Union Territory], the Bengal Finance (Sales Tax) Act, 1941, was extended to the Union Territory of Delhi with certain modifications. The aforesaid Act of 1941 has since been repealed by section 73 of the Delhi Sales Tax Act, 1975, with the usual saving provisions. Sub-section (2) of section 6 of the 1941 Act, as extended, required a notice of not less than three months to be given before any notification to add or to omit from or otherwise amend the Schedule appended to the Act was issued. The above notification of 28th April, 1951, was subsequently amended on four different occasions by notifications issued by the Ministry of Home Affairs. The last such notification of 7th December, 1957, amended the aforesaid sub-section (2) of section 6 of the Act, as extended, so as to replace the expression "not less than three months' notice" by the expression "such previous notice as it consider reasonable." The result of this amendment was that it was not necessary for the Government to give three months' notice of its intention to amend the Schedule and the amendment of the Schedule could be undertaken by giving a reasonable notice which need not be of three months.

Under the amended section 6(2) several notifications were issued by the Ministry of Home Affairs which amended the Schedule appended to the Act.

The Part "C" States (Law) Act, 1950, did not contain any provision for laying of notifications issued under section 2 of that Act, before Parliament. Similarly, there was no provision in the Bengal Finance (Sales Tax) Act, 1941, as extended to Delhi, for laying before Parliament, notifications issued under sub-section (2) of section 6 of that Act. Accordingly none of the above notifications were laid before Parliament. In the circumstances, the question of these notifications being scrutinised at any time by the Committee on Subordinate Legislation of this House did not arise.

The vires of the notification of 7th December, 1957, aforesaid was challenged through writ petitions in the Delhi High Court. While a single Judge of the Delhi High Court allowed the petitions, the Division Bench dismissed the petition on appeal. The matter came up in appeal before the Supreme Court in the case of Lachminarayan *vs.* Union of India and others.

The Supreme Court ruled in this case that the notification dated 7th December, 1957 was beyond the powers conferred on the Cenrtal Government by section 2 of the Part C States (Laws) Act, 1950 and, therefore, the notifications in question which were issued under the amended section 6(2) of the Bengal Finance (Sales Tax) Act, 1941, as applicable to Delhi, without complying with the mandatory requirement of not less than three months notice, enjoined by section 6(2) of the Act, were also in-

[Shri Pranab Kumar Mukherjee]

valid and ineffective. The view taken by the Supreme Court was that the power conferred by section 2 of the Union Territories (Laws) Act, 1950 to make restrictions and modifications in the enactment sought to be extended is not a separate and independent power. It is an integral constituent of the power of extension. It cannot be exercised apart from the power of extension. The power exhaust itself on extension of the enactment. It cannot be exercised repeatedly or subsequently to such extension. It cannot be exercised only once simultaneously with the extension. Further, the power cannot be used for a purpose other than that of extension. In the exercise of this power only such restrictions and modifications can be validly engrafted in the enactment sought to be extended, which are necessary to bring it into operation and effect in the Union Territory. Modifications which are not necessary for or ancillary and subservient to the purpose of extension are not permissible. Only such modifications can be legitimately necessary for such purpose as are required to adjust, adapt and make the enactment suitable to the peculiar local conditions of the Union Territory for carrying it into operation and effect. The words "restrictions and modifications" in section 2 of the Union Territories (Laws) Act, 1950 do not cover such alterations as involve a change in any essential features of the enactment or the legislative policy built into it.

In view of the aforesaid judgment of the Supreme Court, notifications that amended the original extension notification of 28th April, 1951 as also the notifications issued under the amended section 6(2), which modified the schedule to the Act, are bad and are required to be validated. Further, it may be possible to advance the argument that some of the modifications made in the Act by the extension notification of 28th April, 1951 (particularly the substitution of the schedule to the Act by a new schedule) are not valid as being beyond the limits of permissible modifications. In the case before the Supreme Court, the court did not allow a similar argument to be raised on a technical ground, namely, that it was not raised in the original pleadings. It appears desirable to avail of the present opportunity to make a suitable provision for avoiding scope for any such argument being raised in any future case.

Sir, the aforesaid judgment of the Supreme Court was delivered on the 25th November, 1975. The Commissioner, Sales Tax, Delhi, approached the Central Government for undertaking a legislation in the form of an Ordinance to cure the defects pointed out in the judgment. It was considered necessary to collect relevant factual data about the likely refund which would have to be allowed by the Delhi Administration in case the validating legislation, which was required for the purpose, was not enacted. Details of all the notifications which were to be validated had to be collected. The effect of the judgment on any other legislations extended to Union Territories under section 2 of Part C States Laws Act, 1950 was also to be examined. It was also felt that legislation by Ordinance was not desirable in respect of taxation matters like this, particularly when it required validation of actions taken in the past. The Delhi Administration was, therefore, advised to collect the required data and to forward a Bill for enactment by Parliament. They were also advised to place the Bill before the Metropolitan Council of Delhi, as required by the Delhi Administration Act, 1966. All these processes including discussions between administrative Ministries and the Delhi Administration inevitably took time. The Bill in the form in which it could be placed before the Metropolitan Council was finalised in April, 1976. The Administration informed the Central Government on 4th June, 1976 that the Bill has been recommended by the

Metropolitan Council and the Executive Council of Delhi has approved it. The Administrator, Delhi has also seen the Bill. While forwarding the Bill, the Delhi Administration stressed that if the validating legislation was not enacted, they would be required to refund the taxes already collected to the tune of Rs. 40 crores.

If the refund of taxes already collected was allowed to be made, the benefit of such refund would have accrued to the dealers and not to the purchasers from whom the tax would have been recovered already by such dealers.

In view of the above position, the Government decided on 29th June, 1976, to enact a legislation in the current Session of Parliament to cure all the defects. The Bill before the House seeks to achieve the following objectives :—

(i) The notification of 28th April, 1951, which extended the Bengal Finance (Sales Tax) Act, 1941, to the Union Territory of Delhi with certain modifications, as also the other notifications which amended the aforesaid extension notification of 28th April, 1951, shall be deemed to have been and to be a law enacted by Parliament on the date on which each of such notifications was published in the Gazette of India;

(ii) Sub-section (2) of section 6 of the Act as extended to Delhi would be modified so as to retrospectively do away with the requirement of previous notice; and

(iii) Validation of action taken in the past on the basis of notifications issued under the said section 6(2).

I would like to reiterate that the Bill seeks only to cure the legal defects which were pointed out in the judgment of the Supreme Court. It does not create any new charge or liability under the Bengal Finance (Sales Tax) Act, 1941, as extended to Delhi which, as stated earlier, has since been repealed by the Delhi Sales Tax Act, 1975, enacted by Parliament and brought into effect from 21st October, 1975. The Bill merely seeks to restore and confirm the position obtaining during the past period.

There have been precedents when retrospective-validating legislation had to be enacted. In the case of Delhi itself, the Bengal Finance (Sales Tax) (Delhi Validation of Appointments and Proceedings) Act, 1971, was enacted in June, 1971, when the appointment of officers for assisting the Commissioner of Sales Tax, Delhi, was challenged before Delhi High Court as not being in accordance with section 3 of the Bengal Finance (Sales Tax) Act, 1941, as extended to Delhi. It validated all appointments made from the commencement in 1951 of the Bengal Finance (Sales Tax) Act, 1941, as extended to Delhi, as also all assessments, etc., made by officers so appointed, from that tune. The Central Sales Tax (Amendment) Act enacted in 1969 also amended the principal Act retrospectively from 1-10-1958 and validated the collections made between 1-10 1958 and 9th June, 1969 (the date of commencement of the Amendment Act) when the Supreme Court interpreted the provisions of the law in a manner different from the original intentions of such law.

Sir, I trust that the House will unanimously accept the Bill.

MR. CHAIRMAN: Motion moved:

"That the Bill to amend retrospectively the law relating to sales taxe as in force in the Union territory of Delhi during a past period and to validate taxes on the sale or purchase of certain goods during such period, be taken into consideration."

Mr. Hari Singh

श्री हरी सिंह (खुर्जा) : हम दिल्ली सेल्स टैक्स एमेंडमेंट बिल पर विचार कर रहे हैं। सभापति आपको भली भांति ज्ञात होगा कि मक्खी नारायण द्वारा दायर केस के सम्बन्ध में सुप्रीम कोर्ट ने जो जजमेंट दिया उसने एक बड़ी ही विचित्र स्थिति पैदा कर दी थी दिल्ली में सेल्स टैक्स के सम्बन्ध में। इससे एक विकट समस्या शासन के सामने पैदा हो गई थी। इस कानून की धाराओं और उन धाराओं के लागू करने के सम्बन्ध में विरोधाभास पैदा हो गया।

आप तो जानते ही हैं कि दिल्ली भारत की राजधानी है। यह भारत के बड़े-बड़े शहरों में से एक ऐसा शहर है जिस में करोड़ों रुपये की खरीददारी और बिक्री होती है। यह सौभाग्य की बात है कि दिल्ली हिन्दुस्तान के बीच में स्थित है। जो भी आस-पास के शहर और मुल्क का हिस्सा है और जो दूर के शहर हैं उन सब का दिल्ली से बहुत व्यापार चलता है। यहां के मार्केटिंग ट्रेड से और जगहों का मार्केट सर्व होता है। इस प्रकार दिल्ली का मार्केट देश के अन्य क्षेत्रों के बाजारों के लिये टोर्च लाइट का काम करता है। अगर आप सेल्स टैक्स विभाग के पिछले वर्ष के कामों पर नजर डालें तो पायेंगे कि सेल्स टैक्स विभाग और वित्त मंत्रालय ने अच्छा काम किया है। जो लोग दो तरह का हिसाब रख कर सेल्स टैक्स की चोरी करते थे दिल्ली के अन्दर और बाहर भी, उन के गलत खातों को पकड़ कर इस विभाग द्वारा केसेज दर्ज किये गये हैं। तो दिल्ली का सेल्स टैक्स विभाग बड़ी मुस्तैदी से काम कर रहा है। सेल्स टैक्स के जरिये पिछले दो सालों में जो रकम मिली है उस को 6 गुना रकम पिछले इस साल में वसूल हुई है। दिल्ली में सेल्स टैक्स का सारा कोई व्यापारी जमा ही नहीं करता था। कानून की आड़ लेकर तरह तरह के दावे कोर्ट में दायर करके इस विभाग के चंगुल से बचे रहते थे। इस प्रकार सरकारी धन राशि को दबा कर दूसरे कामों में लगाते थे।

आप कह सकते हैं कि जो सारा व्यापारियों को सेल्स टैक्स का देय है वह तो देना ही होगा, उस में क्या फर्क पड़ता है। लेकिन मैं कहना चाहता हूं कि अगर कोई व्यापारी दो लाख रु० सेल्स टैक्स का पैसा ले और साल भर के लिये ही बैंक में जमा कर दे तो उस पर 30,000 रु० महज ब्याज का मिल जायगा। और अगर दो लाख को किसी दूसरे धंधे में लगा दे तो साल भर में उसी से 4 लाख रु० कमा सकता है। लेकिन इस के विपरीत यह भी है कि अगर सरकार के खजाने में सेल्स टैक्स का सारा न पहुंचे तो दिल्ली के विकास की योजनाएं खटाई में पड़ जायें। दिल्ली में व्यापारी वर्ग बड़ा चतुर है। यहां इंटरनेशनल मार्केट का बड़ा जबर्दस्त असर पड़ता है क्योंकि आज दुनिया छोटी हो गई है। जो घटना लन्दन में होती है उस का असर फौरन दिल्ली के बाजार पर पड़ता है। आज आप ने अखबार में देखा होगा कि लन्दन में सोने का भाव बहुत गिर रहा है। इस का असर यहां भी है,

और आज बड़ी भारी तादाद में सोने की खरीद और फ़रोख्त हुई होगी। इसलिये दिल्ली मार्केट को रेगूलेट करने के लिये अब तक जो बंगाल का नियम लागू था उस में बहुत सी खामियां थीं। मंत्री जी ने सुप्रीम कोर्ट के जजमेंट को देखते हुए जो संशोधन पेश किया है यह काबिले तारीफ़ है और इस से पता चलता है कि यह विभाग कितना जागरूक है।

आज बहुत से लोग कहते हैं कि भारत में सेल्स टैक्स बहुत अधिक लगा हुआ है। लेकिन आप देखें कि भारत में सेल्स टैक्स की दर जो है वह विकसित देशों के मुकाबले में चौथाई भी नहीं है। यहां पर सेल्स टैक्स के नाम से व्यापारी और खरीददार शॉर्ट कट मारना चाहते हैं। दूकानदार सेल्स टैक्स की रसीद नहीं देना चाहता क्यों कि खरीददार समझता है कि उस का पैसा बचेगा। लेकिन वास्तविकता यह नहीं है। वास्तविकता यह है कि दुकानदार खरीददार को लोभ देकर सेल्स टैक्स का पैसा अपने पास ही रखता है। वह खरीददार से कहता है कि अगर रसीद लेंगे तो 10 रु० और सेल्स टैक्स का देना होगा। लेकिन वास्तव में इस तरह से खरीददार का फ़ायदा नहीं हो रहा है बल्कि व्यापारी बड़ी भारी रकम को बचा कर के अपनी जेब में डालना चाहता है। यह जो सेल्स टैक्स चोर हैं, ये नाजायज तत्व हैं। इन्होंने हमारे यहां आर्थिक संकट पैदा करने में बड़ा काम किया है। यों तो दुनिया में लोग यह कहते हैं कि राजनैतिक लोग बड़े भ्रष्ट होते हैं, लेकिन आप बड़े गौर से देखें कि इस व्यापारी वर्ग ने समाज को भ्रष्ट कर दिया है। इनका सारा धन्धा पैसे से ही चलता है। व्यापारी जो होता है उसके हर धन्धे का पैमाना सिर्फ़ मनी ही होता है। वह खरीद फरोख्त के काम में, परसनल काम में, आने-जाने के काम में हर काम में मनी को ही देखता है।

16 hrs.

सभापति जी, जो हमारे मंत्री जी ने सेल्स टैक्स का बिल पेश किया है, मैं वाकई में उनका हृदय से आभार प्रकट करता हूं और यह कहना चाहता हूं कि इस सिलसिले में जो बहुत सारे संकट पैदा हो गये थे, वह इस मौजूदा बिल के लागू करने से हल हो जायेंगे और बहुत सारी खामियां दूर हो जायेंगी, ऐसा मेरा अनुमान है।

आज भी अगर आप बजारों में देखेंगे तो आमतौर पर दो तरह की बहियां व्यापारी वर्ग के यहां मिलती है। अगर कोई खरीददार जागरूक होता है, तो दुकानदार ऐसी रसीद देता है जिसका कि एकाउन्ट हो सकता है, उसका वह सेल्सटैक्स देता है, वरना अगर देखता है कि खरीददार ऐसा ही है, गरीब आदमी है, अपढ़ है, समझता नहीं है तो ऐसी रसीद देता है कि जिसके कोई मायने ही नही होते। अगर कहीं पकड़ में आ जाये तो वह कह देगा कि मैंने तो इसको नहीं दिय है। अफसोस यह होता है कि जितनी सेल्स टैक्स की चोरी होती है, जो धांधलेबाजी होती है उसमें हमारे अधिकारी वर्ग का भी हाथ रहता है। मैं कहना चाहता हूं कि सेल्स टैक्स के सम्बन्ध में अगर दिल्ली के

[श्री हरी सिंह]

मार्केट को हमारे मंत्री जी रेगुलेट कर दें, आदर्श बना दें, इंध से चलने की प्रवृत्ति पर डाल दें तो हिन्दुस्तान का जो सेल्स टैक्स का कार है, वह आदर्श का काम हो जायेगा ।

यह बिल बहुत सामयिक है और बहुत भारे संकट और डिफ्कोपैसीज जो पदा हो गई थीं, उनमें यह बड़ा सफल रहेगा । मैं इस बिल का समर्थन ही नहीं करता हूं बल्कि मंत्री जी को बधाई भी देता हूं ।

SHRI D. K. PANDA (Bhanjanagar): The Supreme Court decision has invalidated these notifications and as far as Supreme Court decision is concerned, this was given sometime on 25th of November 1975. Some of these notifications were made under section 2 of the Delhi Sales-tax Act. At that time they should have considered what were the defects. At the High Court level this matter was being contested; both sides gave out their points of view, many points were urged among which they urged for the invalidation of these notifications. What I say is, Government ought to have bestowed their best attention on these points and they should have brought in these amendments even at that time when the matter was pending in the Supreme Court.

So far as Delhi Sales Tax is concerned, we find that in regard to Hindustan Lever, some of the branch managers and accountants were arrested in connection with sales tax. We now learn that they have been released on bail of Rs. 70,000. We would like to know what the charges were, how they were let off, what were the arrears which they had to pay and so on. All these things should be brought to light because these are multinational corporations and they are creating so many troubles. This offence is concerning sales tax which is only one aspect of the matter. When they were caught, at least, they should not have been let off.

The House is also not in a position to know as to what types of neferious activities are being carried on and how they were avoiding the sales tax. If the House had been informed we could also give our suggestions but the House is kept in darkness.

Therefore, I feel that when such multi-national corporations are evading tax, to put an end to this, they must be booked and they must be punished severely. I hope the hon. Minister will also throw some light as to how and why they were released and what were the charges against them? As far as the consumers are concerned, they shou'd be out of the sales tax. Why should they be called upon to pay that for the second time? At the main source, once the sales tax is imposed, then, at the consumer's level, why should they be called upon hundred times to pay that? That should not be done and no sales tax should be imposed.

Now, as far as the amending Bill is concerned it is good. I welcome that Bill because I find that now there is no way out. Really the Government is going to lose Rs. 40 crores. And that money has to be refunded to the private business the traders. Therefore, while welcoming this Bill, I would like to say that we should have a comprehensive Bill once the Select Committee on Sales Tax Bill has gone into it. We want that a comprehensive amending Bill has to be thought of. That Bill must be such that it should be comprehensive in nature. It is no use coming every now and then with amendments. We should see that whatever lacunae there are, are pluged. Under the Essential Commodities Act, we have no power even to punish the criminals. The other day, the question was asked and the hon. Minister was saying that under the Income-tax Act, they had no power to deal with them severely. As far as sales tax is concerned, it is the big business, the multi-national corporation Hindustan

Lever—who are benefited and so, if there are lacunae, they should be plugged. Hereafter we should take the necessary care and precaution to see that a comprehensive amendment is brought forward before the House.

SHRI P. V. NAIK (Kanara): Mr. Chairman, Sir, this Bill is welcome, being very limited in scope. The hon. Minister has stated in his statement of objects and reasons that various notifications are being validated. The Delhi Administration will have to allow the claims for the wrong tax collected under the Act. The amount involved will be roughly of the order of Rs. 40 crores. And hence this Bill. The entire statement of objects and reasons could be put in one paragraph that this Bill seeks to give effect to the payment of Rs. 40 crores wrongly collected. The question now emerges as to what has happened since the year 1951.

Be that as it may, on the one side, the Delhi Administration is paying this money and on the other hand if the money were paid immediately, it would not have gone to the people who had actually paid these Rs. 40 crores namely, the consumers. What I would like to urge upon the Minister is that we are a little bit confused by mentioning here the administration of this in the whole of the Union Territory of Delhi.

From time to time, we get intimation that there is the Delhi Development Authority, there is the Delhi Administration, there is the Delhi Municipal Corporation and so on. There is a plethora of these agencies—DMC, NDMC, DDA. Union Territory Government, Lt. Governor and so on and so forth—a multiplicity of agencies. Who is carrying out the municipal responsibilities, who is administering the capital city of our country, who is the titular head of Delhi?—All these things create a considerable amount of confusion.

The other day we were discussing a legislation which was adopted for Delhi, our premier city, from Bombay, The Bombay Agricultural Produce Marketing Act. We learn this legislation is from the Bengal Finance (Sales Tax) Act, 1941. I join Shri D. K. Panda in appealing that it is time that the premier city of this country, the capital of this country, is able to have its own legislation, a worthwhile administration, a unified command and control, a chain of command which can do away with all this stop-gap, patchwork legislation, and is able to bring forward a comprehensive legislation in respect of everything for Delhi, so that we can see to it that the capital city's problems, financial as well as administrative, are solved. I welcome the Bill.

SHRI PRANAB KUMAR MUKHERJEE: I am grateful to the hon. members who have made their observations. In fact, while moving for consideration, I tried to explain in detail the legal implications, why we have to bring forward this piece of legislation. It is consequent on the judgment of the Supreme Court. I am glad that hon. members have appreciated the spirit behind it.

I would like to make only two points. As regards Shri Naik's suggestion, already we have enacted the Delhi Sales Tax Bill. It is true that the Bengal Finance (Sales Tax) Act was extended to Delhi and was in force for quite some time. But last year we brought the Delhi Sales Tax Bill and now Delhi is administered under its own Act, The Delhi Sales Tax Act, 1975. From October 21, 1975, the new Act is there

Regarding the query of Shri D. K. Panda why we are bringing this type of piece-meal legislation, it is no pleasure for us to bring forward such a piece-meal legislation. It has arisen out of a judgment of the Supreme Court. The Supreme Court in its

[Shri Pranab Kumar Mukherjee]

wisdom found that the Notifications issued by the Delhi authorities were beyond their jurisdiction. As a result of this, a situation emerged in which we have to act. To whom to refund? Naturally the traders will claim it. But the traders have already received it back from the consumers to whom they passed on the tax element. A situation like this may not be desirable, but it could not be avoided. It may arise out of misclassification or difference of opinion between the various competent authorities. So we have had to bring forward this legislation.

I have nothing to add as I have already explained in my introductory remarks what were the legal implications, why it is necessary and why we could not do it earlier. The Delhi Administration is guided by the rules governing Union Territories and have to go through various stages. Therefore, when the judgment of the Supreme Court was available to us some time in November 1975, even then we could not bring it. We could have brought it in the form of an Ordinance earlier. But the House has expressed its view many times that so far as taxation is concerned, Ordinance should be avoided as far as possible to give effect to it. So I wanted to bring a Bill itself before the House for your approval. I am glad that the members who have made their observations have welcomed it.

SHRI D. K. PANDA: I raised other points, that is, about the Hindustan Lever Limited of Delhi branch. How they have evaded tax and what are the charges against them and why they have been released now on bail?

SHRI PRANAB KUMAR MUKHERJEE: Unless the hon. Member brings to the notice this particular case, how can I know that?

(Interruptions)

श्री मूल चन्द डागा (पाली): सभापति जी, मैं यह जानना चाहता हूं कि हाईकोर्ट का जजमेन्ट होने के बाद और सुप्रीम कोर्ट का जजमेन्ट होने के बाद इन्होंने अपने अधिकारियों को क्या पनिशमेन्ट किया ? गलती इनके डिपार्टमेन्ट की और उसकी सजा हम भुगतें। हाईकोर्ट का फैसला हो जावे, उसको एप्लाई करें नहीं, उसके बाद अपील हो; सुप्रीम कोर्ट अपना जजमेन्ट दे दे तो तब तक आपका डिपार्टमेन्ट क्या करता रहा ? आखिर एक वेलफेयर स्टेट में डिपार्टमेंट्स जो अपना अधिकार रखते हैं।

MR. CHAIRMAN: The question is:

"That the Bill to amend retrospectively the law relating to sales tax as in force in the Union Territory of Delhi during a past period and to validate taxes on the sale or purchase of certain goods during such period, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: We shall now take up clause-by-clause consideration. There are no amendments.

The question is:

"That Clauses 2, 3 and 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 2, 3 and 1, the Enacting Formula and the Title were added to the Bill."

SHRI PRANAB KUMAR MUKHERJEE: I beg to move:

"That the Bill be passed".

MR. CHAIRMAN: Motion moved:

"That the Bill be passed"

श्री मूल चन्द डागा (पाली) : सभापति जी, मैं पूछ रहा था कि जब हाईकोर्ट ने जजमेन्ट दे दिया, सुप्रीम कोर्ट ने जजमेन्ट दे दिया तो आपको कितनी पूंजी लौटानी थी ? कम से कम 40 करोड़ आपको लौटाने थे जिसको आज आपने आधे घंटे में इस बिल के जरिए से बचा लिया ।

SHRI B. V. NAIK: He has put the question to the Hon. Minister, Let him reply.

श्री मूलचन्द डागा मैं यह पूछ रहा हूं अपने फाइनेंस मिनिस्टर साहब से कि जब सुप्रीम कोर्ट ने जजमेन्ट दे दिया और उसके पहले हाईकोर्ट ने जजमेन्ट दिया तो उतने समय तक आपका सारा डिपार्टमेन्ट क्या करता रहा ?

सभापति महोदय : यह थर्ड रीडिंग है, इसपर बोलते हुए आपको बिल्कुल क्लियर कर देना चाहिए कि आप इस बिल को सपोर्ट कर रहे हैं या रिजेक्ट कर रहे हैं । अभी थोड़ी देर पहले डिप्टी स्पीकर साहब ने श्री नाईक को याद दिलाया था कि थर्ड रीडिंग में बोलने की कितनी गुंजायश है । मैं समझता हूं आप एक अच्छे पार्लियामेंटेरियन हैं, आप इसका लिहाज रखेंगे ।

The question is:

"That the Bill be passed".

The motion was adopted.

16.20 hrs.

ANTIQUITIES AND ART TREASURES (AMENDMENT) BILL

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN): Sir, I beg to move:

"That the Bill to amend the Antiquities and Art Treasures Act, 1972, as passed by Rajya Sabha, be taken into consideration."

The House would recall that this Bill was passed in 1972, but it took some time to notify that the Bill has come into operation. The main reason for that was that State Governments were requested to appoint Registration Officers, whose salaries were to be paid by the Central Government. That discussion took quite some time. I urged the State Governments to make the appointments as soon as possible. I am grateful to many of my colleagues in the State Governments for having responded to my request, but in the very nature of this Bill, until all State Governments had made proper and appropriate arrangements, it would not have served the purpose which this House intended if the Bill has been brought into operation. Therefore, this Bill was finally brought into force with effect from 5th April 1976, throughout India except in the State of Sikkim.

Under the Act and the rules that were notified thereunder, all dealers had to register themselves and to register all antiquities which they had, along with the photographs, within two months and private collectors were required to do so within three months. Numerous representations were received both from dealers as well as from private collectors that they needed more time to comply with the provisions of the Act. In fact, they had enough notice because the Bill had been passed by the House in 1972 and it had been brought to the notice of all concerned, but apparently they were waiting for the official notification to start preparing for the registration of their objects. So, representations were received that the time of two months for the dealers and three months for private collectors was much too short and that they would not be able to do it. They also had complaints about the rule that four photographs of each antiquity were to be deposited with the registration authorities. Due to

[Prof. S. Nurul Hasan]

the rising cost of photographic material, many of the persons involved submitted that the cost of submission of four copies of photographs would be very high indeed, particularly in the case of coins and smaller objects it was considered exorbitant compared to the price at which these were generally bought. Some associations of dealers in antiquities as well as individual art collectors apprehended that their legitimate business would suffer greatly as a result of these conditions. Many of these persons also said that they were not fully aware which of the objects of art held by them were antiquities covered by the Act and which were not. Taking all these factors into consideration it was felt that some relief should be given. Government, therefore, advised the President and he was kind enough to issue an Ordinance that further time-limit be extended from two to six months, thereby giving extension of four months to enable the dealers to prepare stock registers and complete photographic documentation of the antiquities in their collection. The last date for obtaining licences is now October 4, 1976.

Further, it was also felt that some relaxation should be made regarding the supply of photographs for specified categories of antiquities. By a Government order the size of the photograph has been reduced from postcard size to the quarter size (10 x 7.5 cm.) while the number of photographs required for registration have been reduced from four to three. Similarly, the smaller antiquities like miniature bronzes, terracottas, etc. may be grouped in one photograph—three in quarter size and six in full size.

The amendment to section 18 exempts from registration antiquities kept in museums and institutions run by local authorities or by any such body as the Central Government may approve by general or special order. This was a very important lacuna which was pointed out to us because it was mentioned that some of the major museums were being run by municipal authorities and not by State Governments and, therefore, they would have to supply the details of each antiquity although they are among the best run museums in the country and there is no fear or danger that any antiquity in those museums would disappear. For example, the museum run by Allahabad Municipal Board, which is an excellent museum, would have been covered by this Act and that is why, we are coming to this House with this amendment and the Ordinance contains that amendment that they can be given exemption. In the same way, the Prince of Wales Museum in Bombay is run by a society supported by the Municipal Corporation to which State Government and Government of India have also given assistance from time to time.

It was also decided that we should proceed gradually and not bring within the scope of the enactment all the antiquities but select those in which there is an international trafficking and clandestine export. We have, therefore, proposed that sculptures in stone, terracotta, metals, ivory and bone, paintings in all media and manuscripts containing paintings, illustrations and illuminations have to be registered within the time-limit. So far as other things are concerned like coins, arms, armour, medals, furniture, textiles and un-illustrated manuscripts have been, for the time being, excluded from registration but are proposed to be brought within the scope of the Bill progressively. The registration machinery has already been set up consisting of 104 posts of Registration Officers and these are generally under the control of the respective State Departments of Archaeology. The response has already been very good. We have

received applications from dealers for licence for about 40 upto 31st July, 1976 and these applications are being looked into. The registeration work is also going on smoothly and the number of applications for registration of antiquities received throughout the country till the 31st July, 1976 is 5075. Sir, one of the effects of the enforcement of this law has been that several persons who had collected objects of art are now giving them either as gift or as permanent loan to the leading museums of the country.

Sir, the other day I had the privilege of receiving, on behalf of the National Museum of India, a number of very valuable objects of art given by a well-known donor.

Sir, these are the main features of the amending bill which has been passed by Rajya Sobha and which I commend to the House, through you, for considertion.

MR. CHAIRMAN: Motion moved:

"That the Bill to amend the Antiquities and Art Treasures Act, 1972, as passed by Rajya Sabha, be taken into Consideration."

श्री कमला मिश्र "मधुकर" : जनाब सदर साहब, मैं अपने वजीर साहब का जो तालीम और तहजीब के वजीर हैं इस बात के लिए शुक्रगुजार हूं कि वह यह बिल लाये हैं। वह खुद भी अपने इतिहास के काफी ज्ञाता हैं और इतिहास के ज्ञाता होने के नाते उन्हें भारत की कम्पोजिट कल्चर में, हिन्दू, मुसलमानों की चली आ रही प्राचीन कल्चर में, प्राचीन पुरावशेषों और बहुमूल्य कलाकृतियों की धरोहर में काफी आस्था है। इसी आस्था का यह सबूत है कि वह यह बिल लाये हैं। मैं इसका एक और प्रमाण दे रहा हूं। मद्रास से जो हिन्दू अखबार निकलता है, उसके 22 अगस्त के अंक में निकला हुआ है—

"India proposed to hold bilateral talks with the developed countries to explore the possibility of getting back art objects and other cultural property removed in colonial time, Mr. S. Nurul Hasan, Education Minister, said here to-day."

ऐसा कहा गया है। फिर आगे उन्होंने कहा है—

"But, he said, several of the developed countries, which had been the recipients of such cultural property, had not yet ratified the convention."

इससे प्रकट होता है कि हिन्दुस्तान में जो ब्रिटिश साम्राज्यवाद का बोलबाला रहा है, उसने हिन्दुस्तान की सांस्कृतिक धरोहर को कितना लूटा है और इसका अहसास और ज्ञान उनको है। डेवेलप्ड कन्ट्रीज में जो एक नयी चीज पैदा हो रही है उसको याद कराते हुए भी उन्होंने बताया है कि—

"The British Museum is full of art objects from India."

इसी सन्दर्भ में मेरा कहना यह है कि इस देश के आप जिस कोने भी जाइये, चाहे एलोरा में जाइये, चाहे अजन्ता में जाइये, चाहे बनारस में जाइये, चाहे महाबलीपुरम् में जाइये, कहीं भी जाइये, वहां के मन्दिरों में, गुफाओं में, वास्तुकलाओं एवं मूर्तियों के रूप में हिन्दुस्तान की धरोहर सुरक्षित है। हिन्दुस्तान के किसी भी विद्यार्थी को राजस्थान या दूसरे इलाकों में सारे के सारे हिन्दुस्तान को दिखाया जाय तो उसे मालूम होगा कि हिन्दुस्तान एक कितना महान देश है। मैं खुद भी महाबलीपुरम् गया हूं और मैंने वहां के मन्दिरों में मूर्तियों को देखा है, दक्षिण भारत के मन्दिरों की मूर्तियों को देखा है। मूर्तियों की चोरियां न हों, इनकी अनधिकृत खरीद-फरोख्त न हो, देश की धरोहर सुरक्षित रहे, देश की निधि सुरक्षित रहे इस सन्दर्भ में यह बिल लाया गया है।

[श्री कमला मिश्र ,मधुकर,]

यह प्रशंसनीय काम है जो आप कर रहे हैं। साम्राज्यवादी शासकों ने भी इस मुल्क की धरोहर को काफी लूटा है और अमरीकियों ने भी लूटा है। आजादी के बाद भी और इस बिल के बन जाने और लागू हो जाने के बाद भी सिक्सटीज में हिन्दुस्तान की बहुमूल्य मूर्तियां, कलाकृतियां, पांडुलिपियां बाहर अनधिकृत रूप से स्मगल करके भेजी गई हैं और यह काम स्मगलरों और बिजिनेस करने वालों ने किया है। इनकी कोई संस्कृति नहीं होती है, सभ्यता नहीं होती है। पूंजी का जब राज होता है तब यही बात होती है। इन लोगों ने पैसे के लालच में इनको बेचा है। आपको तो मालूम ही है कि नटराज की मूर्ति को एक मिलियन डालर में बेचा गया। उसका मूल्य हिन्दुस्तान में पच्चीस हजार रुपये के करीब होगा। विष्णु की मूर्ति जो कलकत्ता में थी उसको भी स्मगल किया गया। अमरीकी साम्राज्यवादियों ने भी इसमें योग दिया है। अंग्रेजों ने तो लूटा ही था अपने राज में लेकिन अमरीका वालों ने भी पैसे के बल पर हिन्दुस्तान की धरोहर को खरीदा है, जो वस्तुएं स्मगल हुई उनको खरीदा है। इसके बावजूद हिन्दुस्तान के कुछ महान् सपूत थे जिन्होंने हिन्दुस्तान की प्राचीन पांडुलिपियों को लाने में बहुत योगदान दिया। राहुल सांकृत्यायन का नाम इस सम्बन्ध में लिए बिना मैं नहीं रह सकता हूं। उन्होंने तिब्बत से भारतीय प्राचीन सामग्री को और खास कर बौद्ध संस्कृति की बहुत सी पांडुलिपियों को लाकर पटना म्यूजियम में रखा। उससे भारत की संस्कृति और सभ्यता पर प्रकाश पड़ता है। अभी अखबारों में निकला है कि कुतुब मीनार की जब मरम्मत हो रही थी उसमें कुछ हिन्दुओं और जैन मुनियों की मूर्तियां मिली हैं। पता नहीं तथ्य क्या है। तथ्यों का पता लगवाया जाना चाहिये और इस काम को तेजी से करवाया जाना चाहिये। इससे हिन्दुस्तान के इतिहास पर प्रकाश पड़ेगा और उसको जानने में बहुत मदद मिलेगी।

हड़प्पा और मोहनजोदड़ो संस्कृति पर जितनी भी खुदाई हो रही है उससे प्रकाश पड़ रहा है इतिहास की यह जो धरोहर है इसकी हिफ़ाजत होनी चाहिये।

रामायण और महाभारत के बारे में एक विवाद भी छिड़ गया है। यह कहा जाता है कि ये एपिक्स हैं। दूसरे कहते हैं कि यह रीयेलिटी है। इसकी चर्चा चल रही है। जो खुदाई का कार्य चल रहा है उससे पता चलेगा कि सचमुच में यह काव्य थे या इतिहास के अंग थे।

ये सब चीजें हैं जिन पर दुर्भाग्य से सरकार का पर्याप्त ध्यान नहीं गया है। जहां-जहां खुदाई की आवश्यकता हो वहां-वहां खुदाई की जानी चाहिये।

अभी हाल में विभिन्न भागों में खुदाइयां चालू हैं। उदाहरणस्वरूप अम्बाला के जिलामपुर प्रखण्ड में सरस्वती नदी की चर्चा जो वेदों में है उसकी खुदाई होनी चाहिये।

हमारे यहां बिहार में राजा जनक के चार द्वारों में दो द्वार बिहार के मिथिला स्थान में पड़ते हैं और दो नेपाल में पड़ते हैं। वहां खुदाई होनी चाहिये। मधुबनी जिले में राजवलीगढ़ की खुदाई हुई लेकिन उसको बीच में ही छोड़ दिया गया, उसको बन्द कर दिया गया। वहां पर खुदाई के कार्य को हाथ में लिया जाना चाहिये।

चम्पारन जिले के केसरिया में एक विशाल टीला मौजूद है। आज तक यह तय नहीं हुआ है कि किस युग का यह है। इसका पता लगाया जाना चाहिये और यहां पर खुदाई का कार्य हाथ में लिया जाना चाहिये। वहां पर गंडक नदी की खुदाई हो रही थी। उसमें शिव लिंग की प्रतिमा मिली जिसके विषय में बिहार वालों का कहना है कि ऐसी प्रतिमा बहुत ही कम लोगों ने देखी होगी। क्या सत्य है और क्या झूठ यह तो मैं नहीं जानता हूं

क्योंकि मैंने उसके दर्शन नहीं किए हैं। मैं उसका पूजक भी नहीं हूं। लेकिन यह एक उच्च कलाकृति है और यह हमारी धरोहर है, हमारे देश की धर्ता है। इसकी सुरक्षा का प्रबन्ध होना चाहिये और वहां और खुदाई होनी चाहिये।

जहां-जहां पर आप मरम्मत का काम कर रहे हैं वहां देखा गया है कि पैंटिंग का जो रंग है उसी में पैंटिंग न करवा करके आप गड़बड़ी कर रहे हैं। इस ओर आप ध्यान दें। वैसे ही रंग से उसकी मरम्मत और पैंटिंग होनी चाहिये। ताजमहल को दुनिया के लोग देखने के लिए आते हैं और यहां आकर वे स्वप्न लोक में पहुंच जाते हैं। उसकी भी ठीक तरह से मरम्मत होनी चाहिये। दिल्ली में बहुत सी चीजें हैं जिनकी ओर आपका ध्यान नहीं जा रहा है। राज्य सभा में बहस हुई थी। तस्कर लोग प्राचीन ऐतिहासिक चीजों को उखाड़ने में लगे हुए हैं। उपयोगिता इन की इसलिये है कि इन से हमारी कला, संस्कृति, वास्तु कला, मूर्तिकला, पुरावशेष आदि पर रोशनी पड़ती है। लेकिन सरकार ने अभी तक इन पर ध्यान नहीं दिया। और यह इसलिये कि जो भी कानून आपने इस सम्बन्ध में बनाये उन पर ठीक से अमल नहीं हुआ। आपने पहले 1947 में कानून बनाया जो ठीक से लागू नहीं हुआ। फिर 1972 में कानून बनाया लेकिन उस कानून को कई साल तक लागू ही नहीं किया गया। यह क्या बताता है? यह हमारी उपेक्षा की भावना को प्रकट करता है। हम चाहते हैं कि भारत की प्राचीन कला निधियों को रक्षा की जाय, लेकिन तीन साल तक कानून बनाने के बाद उसको अमल में नहीं लाया गया। इससे हमें बड़ा दुख होता है।

आप आज बिल लाये यह अच्छा किया, इससे कुछ दिक्कतों को आपने दूर करने का प्रावधान किया है। जैसे राजस्थान में मूर्तियों का निर्माण होता है, लेकिन जो उन मूर्तियों को बनाने वाले कलाकार हैं उन को बहुत कम पैसा मिलता है। मूर्तियां तो ले जाकर किसी मन्दिर में रख दी जाती हैं जहां उनकी पूजा होती है, लेकिन जो कलाकार हैं उनको बहुत कम पैसा मिलता है। अब आप ने ठीक ही कहा है कि कुछ उन कलाकारों को भी सुविधाएं दी जायं। ऐंटिक्विटीज क्या हैं, इसकी भी समुचित परिभाषा की आवश्यकता है। इसलिए मेरा सुझाव है कि इस बिल को यदि आप और काम्प्रीहेंसिव बनाना चाहते हैं तो हमें अपनी प्राचीन कला कृतियों, पाण्डुलिपियों, वास्तुकलाओं और प्राचीन अवशेषों की समुचित ढंग से हिफाजत करनी चाहिये। हमें उन तमाम ऐसे स्थानों की खुदाई करनी चाहिये जहां हमारे पुरावशेष के भंडार जमीन में दबे हुए पड़े हैं। इससे हमारे इतिहास पर नया प्रकाश पड़ेगा। तीसरा मेरा सुझाव यह है कि यह समस्या केवल कानून बना देने से ही हल नहीं होगी, बल्कि जनता में चेतना जगानी चाहिये कि वह इन धरोहरों की हिफाजत करें, उनकी देख रेख करें और कोई अगर गड़बड़ी करता है तो उसकी खबर सरकार को दें। अभी क्या होता है कि कहीं पर कोई मूर्ति मिल जाती है तो आम तौर पर लोग उसकी पूजा करने लगते हैं, उसको संग्रहालय में नहीं भेजते हैं। इसलिये जनता में चेतना पैदा की जाय अपनी प्राचीन बहुमूल्य कला-कृतियों की हिफाजत की। चौथा मेरा सुझाव यह है कि प्राचीन बहुमूल्य कलाकृतियों का व्यवसाय करने वालों को कड़ी से कड़ी सजा दी जाय। जो व्यवसायी पैसे के लोभ में हमारे देश की ऐंटिक्विटीज को विदेशों में बेच कर अपना व्यापार चलाते हैं उन को सख्त सजा देनी चाहिये। इस पर आपने अभी समुचित तरीके से ध्यान नहीं दिया है। मुझे पता नहीं है कि किसी को आपने सजा दी हो।

आप ने कहा है कि विदेशों में पड़ी हमारी प्राचीन निधियों को वापस कराने का प्रयास किया जायगा। मेरा निवेदन है कि विदेशों में

[श्री कमला मिश्र 'मधुकर']

अभी भी हमारी बहुमूल्य सामग्रियां हैं, जैसे कोहिनूर हीरा, तख्तेताऊस। इनको आप कैसे देश में ला सकते हैं इस पर आप को विचार करना चाहिये। इस बारे में क्या इंटरनेशनल ला है इस पर आप को विचार करना चाहिये।

प्राचीन मूल्यवान कलाकृतियों की जो चोरी या स्मगलिंग हो रही है, ऐसे कुकर्म करने वाले लोगों को पकड़वाने वालों के लिये रिवार्ड की व्यवस्था होनी चाहिये। जैसे फैमिली प्लानिंग के सिलसिले में, या चेचक के बारे में रिवार्ड की घोषणा की है उसी प्रकार क्यों नहीं ऐसी व्यवस्था करते कि जो कोई भी ऐसी कलाकृतियों को देश से बाहर न जाने देने में सरकार की सहायता करेगा उस को इनाम दिया जायगा। इससे लोगों में अपनी प्राचीन निधियों की हिफाजत करने की प्रेरणा मिलेगी।

सातवां मेरा सुझाव यह है कि इस मामले में अनुसन्धान होना चाहिये कि पुरानी कलाकृतियों को किस प्रकार सुरक्षित रखा जा सकता है। मैंने पढ़ा है कि रूस में जो प्राचीन संस्कृति की चीजें हैं उनको सुरक्षित रखने के बारे में केमिकल्स की जांच और खोज की जाती है कि किस केमिकल से उनकी हिफाजत की जा सकती है।

हिन्दुस्तान जैसे प्राचीन इतिहास वाले देश में इस समय जो कलाकृतियां हैं, उनको सुरक्षित रखने के लिए क्या उपाय किये जाने चाहिएं, इस बारे में रिसर्च होनी चाहिए। अजन्ता के चित्रों, लाल किले और ताजमहल आदि की आकृति और संरचना में कोई विकार या दोष न आने पावे, इसके लिए अनुसन्धान होना चाहिए, ताकि हम उन कलाकृतियों की हिफाजत करने में सफल हो सकें और उनका रूप ज्यों का त्यों बना रहे।

इस बिल से म्यूजियम को छूट दी गई है इससे यह लाभ तो होगा कि संग्रहालयों में कलाकृतियों को रखने में अधिक सुविधा होगी। लेकिन इसमें एक खतरा भी है कि अधिकारियों की सहायता से कलाकृतियों की चोरी भी हो सकती है। मैं यह कहना चाहता हूं कि संग्रहालयों की जिम्मेदारी केवल स्टेट गवर्नमेंट्स पर नहीं छोड़नी चाहिए। शिक्षा को कान्करन्ट लिस्ट में लाने का सुझाव दिया जा रहा है। और उसको मान लिया गया, तो शिक्षा का विषय कान्करन्ट लिस्ट में आ जायेगा। चूंकि यह विभाग शिक्षा मन्त्रालय के अन्तर्गत है, इस लिए इसको भी कान्करन्ट लिस्ट में लाने की दिशा में कदम उठाना चाहिए, ताकि इस सम्बन्ध में भारत सरकार और राज्य सरकारों के बीच पूरा तालमेल हो सके और वे दोनों मिल कर देश की अमूल्य धरोहर की रक्षा कर सकें।

इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूं और मन्त्री महोदय को धन्यवाद देता हूं कि उन्होंने यह एक बहुत सही कदम उठाया है।

श्री जगन्नाथ मिश्र (मधुबनी) : सभापति महोदय, शिक्षा मन्त्री ने इस विधेयक को लाकर बड़ा उपकार किया है। इसकी बड़ी प्रतीक्षा थी। यह इस बात का भी द्योतक है कि हमारे शिक्षा मन्त्री कितने इतिहास-प्रिय एन्टिक्विटीज के प्रशासक और संरक्षक हैं। मैं उनका आभारी हूं और इस विधेयक को लाने के लिए उनको धन्यवाद देता हूं।

उनके प्रति आभार प्रकट करने का एक दूसरा कारण यह भी है कि उन्होंने अपनी प्रखर बुद्धि से पुरानी चोरी चली गई मूर्तियों और कलाकृतियों को वापस करवाया है। इसमें उन्होंने बड़ी चुस्ती दिखाई है और इसके लिए मैं उनको धन्यवाद देता हूं।

मन्त्री महोदय ने अपने स्टेटमेंट में कहा है कि रजिस्ट्रेशन के लिए पहले जो दो महीने की अवधि दी गई थी, लोगों के आग्रह पर अब उसको छः महीने कर दिया गया है।

दूसरे, इस बिल के द्वारा मूल कानून में "Shall be accompanied" शब्दों के स्थान पर ये शब्द रख दिये गये हैं :

"Shall, in the case of such antiquities or class of antiquities as the Central Government may, by notification in the Official Gazette, specify, be accompanied."

पहले सरकारी इन्स्टीटयूशन्ज को रजिस्ट्रेशन और अन्य बातों से एग्जेम्प्ट किया गया था। लेकिन अब मंत्री महोदय ने प्रिंस आफ वेल्ज म्यूजियम, बम्बई और एशियाटिक सोसायटी, कलकत्ता को भी एग्जेम्प्ट कर दिया है, और इस प्रकार उन संस्थाओं के प्रति बड़ा न्याय किया है।

मन्त्री महोदय ने कहा है कि यह विधेयक बड़ा छोटा है। यह भले ही छोटा हो, लेकिन बड़ा लाभकारी, महत्वपूर्ण और तर्कपूर्ण है। इस बिल की गम्भीरता और महत्व को देख कर मुझे बिहारी सतसई के बारे में कही गई इन पंक्तियों का स्मरण हो आता है। "सतसइया के दोहरे ज्यों नावक के तीर, देखन में छोटे लगे घाव करें गम्भीर।" जिस प्रकार कवि की कविता लोगों के हृदय को स्पर्श करती है और लोग उत्फुल्ल हो जाते हैं, उसी प्रकार इस बिल के लिए केवल यह सदन ही नहीं, बल्कि सारे देशवासी मन्त्री महोदय के प्रति आभार प्रकट करेंगे और अनुभव करेंगे कि उन्होंने एक बड़ा ऐतिहासिक कदम उठाया है। मुझे ऐसा लगता है कि वह इस बिल के माध्यम से देशवासियों के हृदय पर अपनी अमिट छाप छोड़ेंगे। मैं बहुत सन्तुष्ट हूं और बार बार मैं इनके प्रति शुक्रिया अदा करता हूं।

अब तक तो मैंने इसकी तारीफ़ में चन्द बातें कही हैं, लेकिन अब मैं जो इसमें कुछ खामियां रह गई हैं उनकी चर्चा करना चाहता हूं। प्रथम तो यह कि यह जो ऐंटिक्विटी एण्ड आर्टस का हमारा ट्रेजर है वह इस बात का द्योतक है कि हमारा देश कितना पुराना, कितना ऐतिहासिक और कितना गौरवमय देश है। फिर यह भी प्रश्न उठता है कि इसकी रक्षा और संरक्षण काम भी उसी तरीके से होना चाहिए। लेकिन वह अभी तक नहीं किया गया है। अब इस विधेयक के पास होने पर मैं समझता हूं कि इसको वह संरक्षण दिया जायगा और हम उसका इन्तजार करते हैं।

मुझे याद है 1947 में एक कानून बना जिसके जरिए से यहां की मूर्तियां और पुरानी चीजें जो बाहर भेजी जाती थीं, उनके एक्सपोर्ट पर प्रतिबन्ध लगा दिया गया मगर प्रतिबन्ध लगाने के बावजूद भी यह काम धड़ल्ले से होता रहा जिसकी चर्चा होती रही। हम उससे बड़े निराश होते रहे कि अगर हमारे देश की प्राचीन निधि विदेशों में भेजी जाती रहेगी तो फिर इनका क्या हाल होगा और हम भी इसके लिए दोषी होंगे कि हम अपनी चीजों की रक्षा नहीं कर सके। इससे हमारी संस्कृति और सभ्यता को बड़ा धक्का लगेगा। इसलिए हम अर्ज करेंगे कि इस की चोरी कतई नहीं हो ऐसी व्यवस्था मन्त्री महोदय कर दें, उसके लिए ऐसे नियम बना दें और उन नियमों का कड़ाई से पालन हो। कड़ी से कड़ी सजा उनको मिले। चाहे वह कोई भी हों अगर ऐसा करते हुए पकड़े जायं तो उनको सख्त से सख्त सजा दें। इस प्रकार से इन के संरक्षण की बहुत समुचित व्यवस्था आप कर दें जिसमें इनकी चोरी बिल्कुल न हो सके। 1960 में उत्तर प्रदेश, तमिलनाडु, मध्य प्रदेश और राजस्थान वगैरह से बहुत सी मूर्तियां चोरी हो गईं और अपनी बहुत सारी ऐसी कीमती धरोहर से हम वंचित हो गए।

मन्त्री जी ऐसा प्रयत्न कर रहे हैं जिसके लिए मैं उनको धन्यवाद दूंगा कि जो पुरानी मूर्तियां हमारी बाहर चली गई हैं उनको कैसे यहां वापस लाया जाय। उसकी चर्चा उन्होंने की है। उसमें कुछ समय तो लगेगा लेकिन समय लगने के बाद वह चीजें वापस मिल जायेंगी ऐसी हमें आशा और विश्वास है

[श्री जगन्नाथ मिश्र]

मैं एक निवेदन यह करूंगा कि यह केवल सरकार या शिक्षा मन्त्री का दायित्व नहीं होना चाहिए बल्कि ये सभी चीजें तो प्रान्तों में रहती हैं तो प्रान्तीय सरकारों पर भी इस दायित्व को डालें और उनसे इस बात के लिए कहें क्योंकि रुपया तो आप उनको देते ही होंगे तो रुपया देते हैं तो गाइड लाइन भी दें कि अपनी जो यह निधि है उसकी रक्षा कैसे करें। बड़े साइंटिफिक ढंग से इनकी रक्षा की व्यवस्था प्रान्तीय सरकार करें उसके लिए ऐसे सुझाव आप उन को दें। इसके लिए प्रान्तीय सरकारों का और उनके मन्त्रियों का सम्मेलन आप बुलाएं और उनसे विचार विमर्श के बाद इसके बारे में निर्णय लें।

फ़ारेन एजेंटस और तस्करी का व्यापार करने वाले ज्यादा इस काम में शामिल हैं, वही ज्यादा इनकी चोरी और व्यापार करते हैं। तो ऐसे तस्करी करने वालों और फ़ारेन एजेंटों को आप पकड़ें ताकि इन की चोरी न हो सके।

मैंने गाइड लाइन्स की बात कही। मैं समझता हूं कि मन्त्री महोदय इसको स्वीकार करेंगे कि जहां वह उनको रुपये देते हैं वहां उसके साथ साथ गाइड लाइन्स भी दें, उनको शिक्षा दें जिससे कि वह काम वहां पर हो सके और इनकी चोरी बन्द हो।

हम लोग अपनी डेमोक्रेसी में अपनी जनता पर बहुत निर्भर करते हैं, समाज पर बहुत ज्यादा निर्भर करते हैं। इसकी चर्चा की कि सरकार को यह करना चाहिए, वह करना चाहिए, लेकिन मेरा एक सुझाव यह है कि हम सरकार पर ही निर्भर न करें। हमारे देश में, हमारे समाज में बहुत सी प्राइवेट एजेंसियां हैं जो इस तरह के काम करती हैं जैसे रोटरी क्लब्स और लाइन्स क्लब्स हैं, स्वयंसेवी संस्थाएं हैं, उनके जिम्मे भी इन कामों को दें जिससे सरकार और स्थानीय एजेंसियां मिल कर इन कामों को करें और इस तरह से हम इसको चोरी बन्द करने में बहुत दूर तक सफल हो सकते हैं।

सभापति महोदय: क्या रोटरी क्लब और लायन्स क्लब पर आप बहुत कान्फिडेंस कर सकते हैं जिन के बारे में यह भी सुना गया है कि उनका चन्दा भी विदेशों को जाता है?

श्री जगन्नाथ मिश्र: श्रीमन्, पवित्र संस्थाओं को हम बढ़ावा दें, उनसे काम लें तो मैं समझता हूं कि चोरियों का काम बन्द हो जायेगा। ऐसा ही होगा, इस विश्वास के साथ मैं इस विधेयक का तहेदिल से समर्थन करता हूं और आपको धन्यवाद देता हूं।

SHRI P. K. DEO (Kalahandi): Sir while supporting this Bill I would like to submit certain suggestions. This country is the cradle of civilisation and it has become, after the evolution of thousands of years, a beautiful tapestry in which various cultures have been interwoven to make India a beautiful home of art. It is a treasure house of the antiquities and pieces of art created by mankind through the ages. It should be the duty of the Government not only to see that they are not stolen but also to preserve them properly. I have been in this House for quite some time and it was a matter of great concern to me to hear about ten years back that some beautiful miniature paintings with the signature of Emperor Jehangir were smuggled out from the Jaipur Museum. Of course the Curator Sangram Singh was arrested but though he might have been arrested those things which have gone out of the country cannot be salvaged. We are lucky to have been able to salvage the Hariraj Murti of Chamba when it was about to be shiploaded from Bombay. The famous Nataraj Murti has also been taken away from South India and a fake copy image has been placed there. I believe negotiations are being carried on by the Government to procure back that famous Nataraj Murti.

The speakers who preceded me have spoken about the various pieces of art and antiquities which gone abroad. Since 1957, when I came to this House, I had been requesting time and again, when Prof. Humayun Kabir and also when Maulana Azad was in charge of this Ministry, that the books of the India House Library should be procured. These are famous pieces of our culture and if we cannot get them back we should at least try to have microfilms of these books taken and preserved here. At that time I also made a request that we should use our good-offices with the British Government to try to get back the Kohinoor Diamond which has been so precious and of such sentimental value to this country, and also the Peacock Throne. For the time being we are very friendly with the Imperial Government of Iran and we could use our good-offices to retrieve the Peacock Throne and restore it to its proper place in the Red Fort.

Some time back I was stunned to read in the papers that when the previous President visited Thailand he presented an antique image of the Buddha to the Thai Government. I don't know how far it is true but it pained me greatly to read it. I hope this is not correct and that the Minister will repudiate it.

So far as private collectors are concerned, I take my hat off to Salar Jung of Hyderabad who invested his whole fortune entirely in collecting pieces of art. His is one of the finest museums of this country. I also salute such other patriots who have rendered immense service for the preservation of art in this country.

17 hrs.

So far as Orissa is concered, I come from a place where, if you scratch the earth anywhere, you will come across antiquities; there is every scope that antiquities will be available, beautiful sculptures will be available in plenty. But their preservation is important. I would like to cite the example of one Museum in my constituency, the Belkhandi Museum. I request the hon. Minister to make a note of it. There, the Museum is just for the name's sake; the images are there, but there is nobody to look after them; people go inside the Museum and cook their food and the place has become absolutely black; all the iron railings have been removed. Fortunately, the local people, who are mostly Adivasis, do not know the actual value of these art pieces; otherwise, those things would have been lost for all time to come.

So far as monuments are concerned, according to our Constitution, monuments are of two kinds: monuments of national importance and monuments of State importance. So far as monuments of national importance are concerned, their preservation is the concern of the Central Government. So far as the monuments of State importance are concerned, it is the duty of the State to look after their preservation, I must state frankly that nothing much has been done to preserve those monuments which are still with us, to preserve them from moisture, from sun, from wind and from sand. If you look at Konarak: you will find that all the beautifiul sculptures have been eroded by sand, wind and sun. There should be chemical treatment and those should be properly preserved.

Now I come to the fake antiquities. This has become an art. You go to Janpath; you will find that there are so many Tibetans selling antiquities. Those antiquities are newly-made pieces: they are made antiques; you put them under the earth for two months and they become antique; even brass pieces, with the application of some chemical, look greenish and they are sold at fabulous prices; the poor tourists are being cheated like anything. Ultimately, the bad name comes to the Government. I would, therefore, like to draw the attention of the Minister to this. He must have some authority to find out whether the antiques are really antiques or they are fake antiques.

[Shri P. K. Deo]

As the time is very limited, I am not going into the details. I welcome the move, though it is belated. Much action could have been taken since the last three years. However, better late than never. I fully support the Bill.

श्री मूलचन्द डागा (पाली) : सभापति महोदय, राजस्थान एक ऐसा प्रदेश है जिस के ऊपर इस कानून का सबसे ज्यादा असर पड़ेगा। यह राजा-महाराजाओं का देश रहा है, वहां के घर-घर में कला-कृतियां मौजूद हैं। मैंने पहले भी सरकार से कहा था—आप मेरा पहला अमेण्डमेंट देख लें—कि समय बहुत कम है, मेहरबानी करके मेरी अमेण्डमेन्ट को मान लीजिये, खास तौर से सैक्शन 5 के बारे में मेरी अमेण्डमेन्ट थी, लेकिन आपने उस वक्त मेरी बात नहीं मानी, हरिजनों बिल को पास करते गये। अभी भी आप सैक्शन 5 के अन्दर 6 महीने की बात कर रहे हैं, लेकिन आप इस बात को देखिये—यह बिल 1972 के अन्दर पास हुआ था और 1976 के अन्दर लागू हुआ, यानी बिल पास होने के चार साल बाद लागू हुआ, उसके बाद जो गाइडलाइन्स निकाले हुए आपको कितने दिन हो गये हैं।

17.05 hrs.

[SHRI P. PARTHASARATHY *in the Chair*].

मैं पूछना चाहता हूं कि इस एक्ट के नीचे जितनी धारायें हैं उनका किस प्रकार से कम्पलायंस हुआ है। आपने सैक्शन 5 में कहा है :

"On and from the expiry of a period of two months of the commencement of this Act, no person shall, himself or by any other person on his behalf, carry on the business of selling or offering to sell any antiquity except under and accordance with the terms and conditions of a licence granted under Sectio 8".

दो महीने की जगह आपने छः महीने कर दिया है। आप यह बता दें कि किस किस राज्य में लाइसेंस के लिए कितनी कितनी एप्लीकेशन्स आई हैं इन एन्टीक्स के लिए। आपने बताया है कि एक हजार आ चुकी हैं। मैं राज्यवार ब्यौरा चाहता हूं। आप घर घर में सौ बरस पुरानी चीजें पड़ी हुई आपको मिल जायगी। आपने डेफीनिशन यह दी है :

"antiquity" includes—any article, object or thing of historical interest"

यह बहुत वाइड डेफीनिशन है। हर आदमी के घर में ऐसी चीजें मिल सकती हैं। ये चीजें उनके घरों में पीढ़ियों से चली आ रही हैं। अब आप साथ फोटो की कापियां मांगते हैं। आपको पता है कि कितना इस पर खर्च आएगा? सौ डेढ़ सौ आ जाएगा। अब कोई इसको दे नहीं सकेगा तो क्या होगा? आपका परपज क्या था? मैं समझता हूं कि कानून बनाते जाने से कोई लाभ नहीं होगा। इससे केवल ब्यूरोक्रेट्स को फायदा होगा। आप स्मगलिंग को रोकना चाहते थे। हिन्दुस्तान के बाहर ये चीज न जाएं यह आपका परपज था। इस तक ही आपको चाहिये था कि आप अपने आपको कनफाइन करते, वहीं तक कानून को सीमित रखते। डीलर्स को ही लाइसेंस लेने की आवश्यकता होनी चाहिये थी। अब इसमें आपने मन्दिरों को ले लिया है, म्यूजियम को ले लिया है। एक म्यूजियम में दस हजार कृतियां या मूर्तियां या दोनों मिला कर हो सकती हैं। उनको भी क्या जरूरी तौर पर फोटो देना होगा? सैक्शन 18 आपका यह था :—

"Nothing in section 14 or section 16 or section 17 shall apply to any antiquity kept—

(i) in a museum; or

(ii) in an office; or

(iii) in an archive; or

(iv) in an educational or cultural institution, owned, controlled or managed by the Government"

आपने इसको इनक्लूड कर दिया है और कह दिया है :

"It was also considered necessary to enlarge the scope of the exemption under Section 18 of the Act so as to cover antiquities kept in museums, offices, archives, or educational or cultural institutions...."

आपका परपज था कि कला कृतियों को पुरानी चीजों को भारत के बाहर तस्कर लोग ले जाकर न बेचें। यह परपज नहीं था कि छोटे-छोटे म्यूजियम्ज में और एजुकेशनल इंस्टीट्यूशन्ज में जो आर्ट आबजेक्ट्स हैं उनको आप इतनी फोटो और डाटा मांगेंगे। पुराने राजा महाराजाओं के यहां जो चीजें हैं उनको भी उनका विवरण देना होगा। फोटोज उनको देनी होंगी। इससे बहुत ज्यादा हार्डशिप होगी। रेडियो लाइसेंस रिन्यू करवाना होता तो वह भी बहुत झगड़ा मालूम देता है। यहां आप पता नहीं कितने झगड़े पैदा कर रहे हैं। आप आदमी को कानूनों से जकड़ रहे हैं। आप आंध्र से आते हैं। वहां गांव गांव में लोगों के पास कला कृतियां हैं। इस कानून में आप ने सैक्शन 18 को इनक्लूड कर दिया है। और मैं नहीं चाहता था कि सैक्शन 18 को आप शामिल करते। बल्कि जैसा पहले था वैसा ही रहने देते। अब आप ने म्यूजियम और एजूकेशनल इंस्टीट्यूशन को शामिल कर के गड़बड़ कर दिया है कि उनको भी फोटो देनी होगी। मैं इस की सराहना नहीं करता हूं।

कितने लाइसेंस डीलर्स है और कितनी चीजें बिक रही हैं कुछ पता नहीं। 15 दिन का आपने समय दिया। उसकी मियाद क्यो नहीं बढ़ाई गई। जहां सैक्शन 14 में आपने कहा है :

"In the case of any person, within 15 days of the day when he comes into ownership...."

तो वहां 15 दिन क्यो? वहां भी तो मियाद बढ़ानी चाहिये थी। कम से कम एक महीना बढ़ाइये। लेकिन वहां 15 दिन।

आपने कहा कि रिप्रेजेन्टेशन आये। तो आने के बाद मैं नहीं समझ सका कि उन्होंने क्या क्या रिप्रेजेन्टेशन दिये हैं। आप इस बिल के जरिये कानून बना रहे हैं उसके अन्तर्गत आप डीलर्स तक ही सीमित करें, औरों को शामिल नहीं करें। नहीं तो इसका बड़ा भारी दुरुपयोग होगा।

DR. RANEN SEN (Barasat): I wholeheartedly support the Bill though it is a little belated.

While speaking on this Bill, I was reminded of a famous poem written by Rabindranath Tagore entitled "India, the Shrine" in which he has said that here in India the Aryans, the non-Aryans, the Huns, the Scythians, the Mongols, the Chinese, the Pathans, all got mixed up and a composite culture grown in this sacred soil of India. Therefore, though it will be a little outside the purview of this Bill, I want to draw the attention of the Minister to two or three things.

It is good that registration and other things will be necessary. But there are any number of manuscripts, paintings, statues and busts in our country which are still not explored and things which have been explored but are not properly taken care of. I want to mention just one or two examples.

[Dr, Ranen Sen]

The Asiatic Society is a treasure-house of any number of valuable manuscripts, busts, statues and paintings. Even there are paintings which have been autographed by King Shahjehan, but it is reported in Calcutta newspapers two days back, in Calcutta *Statesman*, that many of these antiquities are being kept neglected without proper care, on the floors of the Asiatic Society. I had moved a question which, unfortunately, became unstarred in which I raised this question. Now, in that Asiatic Society which is nearly 200 years' old started by Sir William Jones and in which very known and famous Indian intellectuals were also connected, many of the manuscripts are rotting and proper care has not been taken to preserve them properly. I want to know whose responsibility it is. Now, there is a quarrel among the authorities and the Board of the Asiatic Society as a result of which there is almost a total deadlock. Would be Government of India see that in the interests of preserving all these very valuable manuscripts, paintings, busts and statues, the Government should interfere in this regard. There is another question which has been discussed in this House but which still remains unresolved. There are various manuscripts that are lying in the National library. As yet, a proper librarian has not yet been appointed. Proper scientific approach has not yet been taken in regard to preservation of these manuscripts which are a treasure-house, if I may say so. They are now rotting in these cellars of the national library. Some of these manuscripts in the national library and Asiatic Society are those manuscripts which are written on palm leaves. There are organisations like Bangiya Sahitya Parishad with which such names as Ishwar Chandra Vidyasagar, Dr. Suniti Chatterjee and Shri R. L. Mitra are all associated. I am told that many valuable earlier period manuscripts are riotting without proper care. I am told that certain technological difficulties are there, but we should resolve these things and see that these manuscripts are properly preserved. The manuscripts may not be taken outside India. But while in India, we should see that these manuscripts are properly preserved and protected and proper care is taken of these things. This is my submission.

I can speak of Bengal and Bihar. There are many numbers of very valuable art structures. In Malda district there is a pathan mosque called Adina Masjid. Nobody is looking after such wonderful specimens of architecture. We should have new researches to find out certain old Hindu civilizations which lie buried under the soil. Who is looking after all these things? Of course other Acts are there. But as you know all these things are inter-related. The hon. Minister is a knowledgable person and an erudite scholar. I hope he will take care of all these things and he will seriously think of these manuscripts lying in the national library and the Asiatic society, the Bangiya Sahitya Parishad and other places also. Mr Madhukar talked about Patna museum. There is the Salar Jung Museum. There are other museums. It is the duty of the Central Government to properly guide the State Governments and other organisations looking after these things and try to solve their difficulties both financial and administrative. With these words, I suport this.

SHRI B. V. NAIK (Kanara): I cannot add more to what has already been said by the learned speaker but I would like to draw the proper attention of the hon. Minister to Art. 49 of the Directive Principles of the Constitution and request him to decide whether this Bill as well as

what is proposed to be done is perfectly in consonance with the Directive Principles of State Policy. Here it says:

> It shall be the obligation of the State to protect every monument or place of object of artistic or historic interest, declared by or under law made by Parliament, to be of national importance, from spoliation, disfigurement, destruction, removal, disposal or export, as the case may be.

The most operative part is—removal, disposal or export, as the case may be. Antiquities are meant to be in temples, mosques, churches, etc. Disposal or export means they would have left the country and they would have gone to places which are not at all the places of their origin. I am wondering how this very long process of registration, without any value content of that particular thing, the *ad valorem* of the particular pieces of art, would help us in carrying out these Directive Principles.

How will this be of much use in order to protect our art treasures—these antiquities? I would wish if the hon. Minister finds some time—he has to find time in most of his busy commitments—to go to Belur and Halebid—he will find that each stone—there are millions of stones—will be valued in thousands of rupees. If the girls made of stones or the dancing girls made of stones, are valued, they would be valued in thousands of rupees. Virtually, if anybody were to auction out the Belur temples, they would fetch money not in lakhs or millions or crores but in billions. Of course I am not approaching in a negative way—of course Rajasthan and West Bengal have the greatest treasure house, of ancient art and culture in this country. A large proportion of that is very much in the south—in Belur. Why these were not properly maintained—I do not know that.

SHRI M. C. DAGA: The point here is that they are not properly maintained. There are Jain temples there.

SHRI B. V. NAIK: Therefore, I feel that in order to carry out the Directive Principles of State Policy, firstly the country must ban all exports—total ban on export of antiquities and art treasures in this country. Then nothing will be lost. As long as these antiquities and art treasures are circulating within the country, nothing will be lost. Of course they will have to be exhibited at one place or other. Therefore, while I welcome this Bill, it is giving only a fringe importance to Art. 49 of the Directive principles of State Policy. Something more stringent in preserving it within the territory of India will be most welcome. I hope that the hon. Minister will bring in such a legislation very soon.

PROF. S. NURUL HASAN: Sir, I am extremely grateful to the hon. Members for the support that they have given to this Bill and also for the kind words that they have spoken as also the very deep interest which this House as well as the other House has been taking in reserving our rich culture heritage. Not only we in this country are proud of it but all lovers of art and culture throughout the world are also proud of it.

The interest of the hon. Members is a source of great strength and encouragement to all of us to whom the responsibility of looking after these treasures has been entrusted.

Sir, I will try to refer to the point that has been made by the hon. Members. But, if I am not able to refer to each of the points, that is because of the shortage of time. I can assure my hon. friends here that I shall give the most respectful consideration to the suggestions that they

[Prof. S. Nurul Hasan.]

have made, many of which, I have no doubt, are capable of being implemented with great profit to this country.

Sir, the first point that was raised was with regard to the treasures that have been taken out of the country first during the colonial period and then smuggled out of this country after Independence.

SHRI M RAM GOPAL REDDY (Nizamabad): But, what about *Takht-e-taoos*?

PROF. S. NURUL HASAN: I have heard about it. I was told that it is in Teheran. I am afraid I have not seen this. I have gone there and made a careful study of what was considered to be the *Takht-e-Taoos* in the National Imperial Bank of Teheran. But, it is not there. If we get any clue, we will certainly like to look into this matter.

As my hon. friend over there rightly pointed out, many of the developing countries have not yet ratified the Unesco Convention and we are therefore trying to organise bilateral talks with some of them to ensure that at least those objects of art which we can prove were stolen from our country or smuggled out of our country illegally can be returned.

We have received a great deal of co-operation even without formal ratification from some of the governments of the developing countries. For example, hon. members referred to the Shivapuram Natraj. Only recently, the person who had acquired this from the person who had smuggled it out formally transferred the ownership of the Shivapuram Nataraj to our Ambassador in the USA and we have agreed that it can be exhibited publicly for a period of ten years after which it will come back.

Similarly, we have also received co-operation from the UK in regard to some of the sculptures of Nalanda which had been stolen/smuggled out, and in the same way about the sculpture belonging to the Banga Sahitya Parishad which has been brought back.

In this connection, I would like to pay a tribute to the officers of the Archaeological Survey of India and of the Central Bureau of Investigation who have taken a lot of initiative in preventing smuggling, in recovering objects of art and sculpture which have been stolen and in trying to get back these objects when they have gone abroad through means other than legal and diplomatic.

Only recently a Seminar was held in Mexico which was attended by the Director-General of Archaeology in India and also by the Director of the CBI. One of the main points discussed there was what to do about, and how to prevent, the smuggling out or theft of antiquities and art treasures, specially from developing countries and countries which have a very rich art heritage such as Italy. It was organised, if I remember correctly, under the auspices of Interpol and we have been receiving co-operation from them

To protect sculptures specially, we have increased the number of monument attendants. The number is now about 2,500 or so. We have built sculpture sheds where loose sculptures can be put back.

Anxiety was expressed about the decay of Ajanta paintings. I have great pleasure in informing the House that the apprehensions in this regard are unfounded. I myself went and made a very careful examination of the paintings. I examined carefully also the report given by our Indian specialists who came to the conclusion that there is no decay of pigments. To strengthen our report and the opinion of our experts, we invited one of the very famous experts of the Smithsonian organisation in the US/Two experts were sent to us by UNESCO at our request and all of them have

supported the findings of the expert committee appointed by the Archaeological Survey of India. However, protective steps that were being taken to remove incrustation and ensure that there are no termites, etc. continue to be taken.

Anxiety was also expressed about Tajmahal. At the present moment the condition of Taj is quite satisfactory. But we have appointed an expert committee to examine the effect of pollutants in air and water in Agra at the moment and what are going to be the likely effect of the establishment of the refinery at Mathura. My colleague the Minister of Petroleum has already stated that this mater was being looked into very carefully and that nothing would be done which would harm or damage our national heritage. It was also suggested that we should seek the co-operation of the masses and that we should try to educate them. It is quite correct that without educating the masses and making them conscious of the richness of our heritage and seeking their support, we will not be able to achieve what we desire to achieve.

For this purpose we have undertaken a number of steps; it includes a very interesting programme taken up last year whereby university, college and school students were involved in looking after some monuments in their neighbourhood and the reports that we have received are extremely encouraging. We are also trying to organise as part of non-formal education an understanding of our culture. The national museum has prepared a cultural kit for schools so that our people can get an understanding of our cultural heritage.

Reference was made to excavations in Bihar, ancient site of Vikramasila in district Bhagalpur, by the Archaeological Survey of India. Recently some excavations had also been undertaken at Nalanda where new mural paintings of the Pali period were brought to light. As regards the Sivalinga which had been referred to by my hon. friend, I will be grateful if he could give me some more information so that we can explore the possibility further.... (*Interruptions*). If the hon. Members would bear with me for a little more, I shall try to satisfy them.

This country, as has been rightly pointed out, has innumerable sites which can yield extremely promising results. But there is one aspect of excavation which we should all remember. Excavation according to leading archaeologists is what is called destruction; the evidence which comes to light as a result of excavation is then destroyed several times. Therefore any haste in excavation, any unplanned programme of excavation or excavation by persons who are not really experts is likely to do more harm than good. For this reason we have been very careful to proceed slowly, to give licences slowly and in a planned, phased manner rather than allow haphazard excavation activities.

Another point that has been raised is about Bilkhandi museum; it is not a central museum; it may be State or local museum. If my hon. friend and collegue there would send me some information I would look into it.

Regarding Konarak, I should submit that I have myself seen it very carefully, both from the point of view of structural conservation and chemical treatment. A great deal of valuable work is being done and I am at least satisfied that there is no danger to the wonderful and magnificient carvings and sculptures of the Sun Temple. The other museum which is planned to be put up in Orissa is at Ratnagiri where a Buddhist site has been excavated by the Archaeological Survey of India.

Dr. Ranen Sen referred to the Adina mosque in Malda. This is a centrally protected monument and is being taken care of by way of annual and special reports. But if my hon. friend

[Prof. S. Nurul Hasan.]

has any information that there is any type of neglect in looking after it, I would request him to send me a letter and I will have it looked into immediately.

So far as theft and smuggling activities are concerned, we have sought the cooperation of the State Governments. We have asked them to strengthen the watch and ward. We have ourselves been doing whatever is possible. The customs officers have been trained to ensure that there is no smuggling. More than that, under the activities which have been undertaken by the Central Government against smugglers, drastic action has already been taken against a few of the most well-known, if I may say so notorious smugglers.

Regarding India Office Library, we are negotiating with the British Government and urging them....

SHRI P. K. DEO: For the last 25 years!

PROF. S. NURUL HASAN: Yes; it is not in our hands, as the hon. member knows. But the other suggestion of the hon. member is being taken up by us. That is, pending the negotiations regarding the ownership rights of the library, we have negotiated a programme of microfilming those records which are not available in our national museum. A number of gaps have already been identified and I hope this programme will start soon.

SHRI P. K. DEO: Anything about Kohinoor?

PROF. S. NURUL HASAN: That is a different problem.

I am afraid my hon. friend, Shri Daga perhaps did not care to listen to my intrductory remarks. Otherwise, some of his doubts would have been dispelled. However, may be I was not clear enough in my presentation of the case and I will try to satisfy him against. Section 18, as originally passed by this House, gave exemption only to those museums which were owned or controlled directly or indirectly by the Central or State Governments. Now what we are attempting to do is to increase the scope of this exemption. Some of the other museums such as the Prince of Wales Museum, Bombay or the Allahabad Museum are being sought to be included in the list of institutions to be exempted. In addition to this, we will also examine any case of a private museum on merits and decide. If we are satisfied that their care of the art objects and the safety of these objects is satisfactory, then we will certainly consider exempting them.

In regard to the Salar Jung Museum, I would like to remind the House that it has already been declared by this Parliament to be an institution of national importance, and funds for its looking after will be provided directly by the Central Government.

We have also provided under various other schemes for the survey of records and manuscripts by the Regional Records Survey Committee. We have also taken up under the Archaeological Survey a scheme of village to village survey of sculptures and other monuments. That, unfortunately, did not gather momentum because of inadequate funds. We are trying now to involve the post-graduate students, along with the experts and specialists, to take up this work.

Regarding the manuscripts in the National Library, I would like to assure the hon. House that these manuscripts are very well looked after and are in air-conditioned chambers and not in cellars.

In regard to the Bangiya Sahitya Parishad, I have appointed an Enquiry Committee to go and see the situation and submit its report. That report

has been submitted to me and it is under examination.

Regarding the Asiatic Society, a few years ago I had appointed a Committee, which examined the situation and decided to increase substantially the grants to the Asiatic Society. If any concrete proposals are received by me from the authorities of the Asiatic Society, which is a registered society free to act by itself, I will see what help we can give.

DR. RANEN SEN: There is a newspaper report and there was also a Question in this House that the authorities of the Asiatic Society are now divided and are quarreling among themselves. I do not understand why nothing is being done by the Central Government in regard to that situation.

PROF. S. NURUL HASAN: Unfortunately, my authority over registered societies in States is limited, because this House does not have that authority. But if there is a general public demand that the Centre should intervene, I would be very glad to provide such help and assistance as I can do within the constitutional framework. But I do need a well-considered demand from the people of West Bengal, particularly the intellectuals and those who are members of the Asiatic Society.

SHRI B. V. NAIK: In the State of Karnataka, wherever these decadent registered societies have been found to be defunct or quarreling within themselves, the State Government has taken powers to take over the administration of these registered societies. When we are making Ordinances for many other subjects, I think it is high time that we have an Ordinance in order to take over such societies of national importance.

PROF. S. NURUAL HASAN: This is a very good suggestion. I will discuss the matter with the Government of West Bengal.

My hon. friend, Shri Naik, referred to article 49. I would draw his attention to the Ancient Monuments and Sites Act, which this House passed a long time ago, under which most of the monuments, which were considered to be of national importance, have been protected by the Archaeological Survey of India and in the case of monuments of State importance, the State Governments have been urged to give them protection.

So far as total ban on exports is concerned, the whole purpose of the Act which the House had passed, and which is now sought to be amended is to prevent the export of antiquities, because unless we know where our antiquities are, it would not be possible to prevent smuggling.

With these words, I commend this Bill to the House.

MR. CHAIRMAN: The question is:

"That the Bill to amend the Antiquities and Art Teasures Act, 1972, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: The question is:

"That Clauses 2 to 5 stand part of the Bill."

The motion was adopted.

Clauses 2 to 5 were added to the Bill.

MR. CHAIRMAN: The question is:

"That Clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

MR. CHAIRMAN: The question is:

"That the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

The Enacting Formula and the Title were added to the Bill.

PROF. S. NURUAL HASAN: I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted

17.45 hrs

ESSENTIAL COMMODITIES (AMENDMENT) BILL

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES AND CO-OPERATION (SHRI A. C. GEORGE): I beg to move.

"That the Bill further to amend the Essential Commodities Act, 1955, as passed by Rajya Sabha, be taken into consideration."

The Essential Commodities Act was passed in 1955 for the control of production, supply, distribution and pricing and of trade and commerce in certain essential commodities. At present, there are 61 declared essential commodities which include items like foodgrains, sugar, vanaspati, drugs and textiles and other such items that are basic to the daily requirements of the citizens of the country.

From 1955 onwards, on the basis of experience gained in the working of the Act, suitable amendments to the parent Act have been made to make its provisions more effective. The Act was last amended in 1974 in the light of the recommendations made in the 47th Report of the Law Commission and by it, the penal provisions of the Act were made more deterrent, so that the Act could be a more meaningful instrument to check hoarding, profiteering and other malpractices in the trade and commerce of essential commodities.

Regional Conferences of State Ministers of Food and Civil Supplies were held during 1974 and 1975 so that a consensus could emerge in regard to the changes required in the framework of this regulatory enactment. As a result of the recommendations made in these meetings, some amendments became necessary. Certain other amendments have also to be proposed, consequent upon the striking down of control orders relating to levy on foodgrains by the High Courts of Karnataka and Orissa, which hampered the procurement of foodgrains. The amendments which have been proposed are absolutely necessary for fulfilling our social needs, underscore the disciplinary requirements of our developing economy and would contribute to greater order in the procurement, supply and distribution of essential commodities. As has already been explained in the Statement of Objects and Reasons, the main provisions of the amending Bill relate to: enlarging the definition of the term "Collector" to allow other senior officers to exercise powers in the drive against hoarder and profiteers for promotion of procurement to redefine the basis on which levy orders can be passed by the State Governments; to enable the re-introduction of seized essential commodities into the public distribution system and also to debar lower Courts from interfering with the confiscation proceedings; and finally, to protect public servants functioning under the Act against malicious and vexatious complaints in the course of the performance of their duties.

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*Moved with the recommendation of the President.

I trust that hon. Members will agree with the intention of the Government to tighten the measures relating to prevention of hoarding, profiteering and other such anti-social elements. Hon. Members are aware of the various measures that Government have been taking in regard to ensuring the smooth supply of essential commodities and I am sure will fully support the proposals. The proposed amendments, I am sure, will have the support of the entire House. We are taking all measures possible and advance action to see that there is no bottleneck in the distribution of essential commodities and, specially now, on the anvil of the biggest festival season, we are overseeing the general availability and distribution of essential commodities and a prompt and alert monetary system is being smoothened. I hope, the passage of this Bill will strengthen the hands of the Government in the matter of greater awareness and alertness about the consumer protection measures.

With these words, I move.

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Essential Commodities Act, 1955, as passed by Rajya Sabha, be taken into consideration."

SOME HON. MEMBERS: We can take it up tomorrow.

THE MINISTER OF WORKS AND HOUSING AND PARLIAMETARY AFFAIRS (SHRI K. RAGHU RAMAIAH): I have no objection to taking it up tomorrow.

17.51 hrs.

BUSINESS OF THE HOUSE

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): I would like to make one announcement. I have talked to our friends sitting opposite as well as our friends here. Because certain Bills have to go to the Rajya Sabha, they have to be given precedence. There is the Metal Corporation (Nationalisation and Miscellaneous Provisions) Bill; there is the Laxmirattan and Atherton West Cotton Millls (Taking over of Management) Bill and there is also the Dhoties (Additional Excise Duty) Repeal Bill. These Bills will be taken up in the first instance tomorrow and this part-discussed Bill will be taken up afterwards. Subject to that, I have no objection to the House being adjourned now.

MR. CHAIRMAN: I hope, the House agrees with the proposal made by the Minister of Parliamentary Affairs.

HON. MEMBERS: Yes.

SHRI DINEN BHATTACHARYYA (Serampore): Only with the expectation that the Minister will arrange for the proper supply of essential commodities and see that the prices do not go up.

MR. CHAIRMAN: The House stands adjourned to meet again tomorrow at 11 A.M.

17.53 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, August 25, 1976/Bhadra 3, 1898 (Saka).

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